

TOWN OF MONSON SUBDIVISION REGULATIONS

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**RULES AND REGULATIONS GOVERNING
THE SUBDIVISION OF LAND IN
THE TOWN OF MONSON
MASSACHUSETTS**

SECTION 1.0 AUTHORITY AND PURPOSE

1.1 AUTHORITY

Under the authority vested in the Planning Board of the Town of Monson by Section 81-Q of Chapter 41 of the General Laws of Massachusetts as amended, said Board hereby adopts these Rules and Regulations governing the subdivision of land in the Town of Monson, Massachusetts.

1.2 PURPOSES OF SUBDIVISION CONTROL - MGL CHAP 41, SECTION 81-M

The subdivision control laws has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivision and in proper cases parks and open areas. The powers of the Planning Board and of a Board of Appeals under the subdivision control laws shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles, for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivision. It is the intent of the subdivision control laws that any subdivision plan filed with the Planning Board shall receive the approval of such board if said plan conforms to the recommendation of the Board of Health and to the reasonable rules and regulations of the Planning Board pertaining to subdivision of land; provided, however, that such board may, when appropriate, waive, as provided for in Section 81-R, such portions of the rules and regulations as is deemed advisable.

1.3 ADOPTION OF RULES AND REGULATIONS

In accordance with Section 81-Q of Chapter 41 of the General Laws of Massachusetts as amended the Planning Board of the Town of Monson hereby adopts the following Rules and Regulations relative to subdivision control. The provision of Chapter 41 of the General Laws shall apply to these regulations.

SECTION 2.0 GENERAL

2.1 DEFINITIONS

For the purpose of these regulations, the terms and words defined in the subdivision control law, MGL c. 41, section 81L, shall have the meaning given therein, unless a contrary intention clearly appears in these definitions. The following other terms and words are defined as follows:

Abutter – All those property owners whose land abuts the proposed subdivision or land described in a plan believed not to require approval. It shall also mean those property owners directly across a street or road from the subject subdivision or land.

Applicant – Either the owner of the land, whether corporate or individual, stated in the application for subdivision, or all the owners where title is held jointly, in common, or in tenancy by the entirety. An agent, representative, or his assigns may act for the owner, provided written evidence of such fact is submitted. Evidence in the form of a list of its officers and designated authority to sign legal documents shall be required for a corporation.

Board – Shall mean the Planning Board of the Town of Monson.

Certified by (or Endorsed by) a Planning Board – As applied to a plan or other instrument required or authorized by the Subdivision Control Law to be recorded shall mean bearing a certification or endorsement signed by a majority of the Board to certify or endorse its approval or other action and named in a written statement to the Register of Deeds and Recorder of the Land Court, signed by a majority of the Board.

Consultants or Consulting Services - Includes, but is not limited to, architects, biologists and environmental experts, chemists, engineers, geologists, landscape architects, planners, lawyers, sanitarians, and surveyors.

Date of Submission – Shall be either the date of the next regularly scheduled Planning Board meeting in the case of personal delivery, or the date of mailing if the plan is submitted by registered mail, or date of receipt by the Town Clerk.

Definitive Plan – A proposed, detailed plan or a subdivision submitted by the applicant to be recorded in the Registry of Deeds or Land Court when approved by the Planning Board.

Development Impact Statement (DIS) – A documented, written analysis of a proposed subdivision which contains all information provided by Section 8.0 of the Regulations and which provides the Planning Board and its agents or consultants with information necessary for plan review. The DIS is prepared by the applicant.

Easement – A right in land acquired by public authority or other person to use or control property for a utility or other purpose.

Engineer or Surveyor – Person registered by the Commonwealth of Massachusetts to perform professional civil engineering or land surveying services.

Lot – Area of land in one ownership with definite boundaries, used or available for use, as the site of one or more buildings. Areas endorsed by the Board upon a plan as “not available for building purposes” shall not be considered lots.

Owner – The owner of the record as shown by the records in the Hampden County Registry of Deeds or Land Court.

Preliminary Plan – A plan of a subdivision submitted by the applicant showing sufficient information as specified in Section 4.0 to form a clear basis for discussion and clarification of its general contents and for the preparation of a Definitive Plan.

State Construction Standards, Massachusetts DPW Construction Standards – These specifications are published by the Massachusetts Department of Public Works. They are entitled Standards Specifications for Highways and Bridges, and include all supplements, updates, revisions or future editions covering substantially the same subject matter. (All matters left open or undetermined by these specifications shall be specified by the Board on a case by case basis.)

Street – A “street” is (a) a public way certified as such by the Clerk of the Town of Monson and used as a public way; or (b), a public way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law; or (c), a public way in existence when the subdivision control law became effective as shown on the “official street map”. Privately owned ways, abandoned ways, and proposed ways as shown on the “official street map” at the times of its adoption are not “streets” in conformance with this definition.

Streets

Major Streets – A street which, in the opinion of the Board, is likely to carry substantial volumes of through traffic. Refer to 6.2.6 - Table 1.

Secondary Streets – A street other than a major street, which, in the opinion of Board, is likely to carry traffic other than just to or from lots on that street. Refer to 6.2.6 – Type 1.

Minor Residential Street – A street which is likely to be used only by vehicles travelling to or from lots on that street.

Dead End Streets/Cul-de-sac – A public or private vehicular right-of-way which affords the principal means of access to abutting property and which joins another thoroughfare at

only one end. (Any such thoroughfare, which joins or intersects a dead-end street/cul-de-sac, shall have adequate access at both ends from a Town, County or State public way adjacent to The subdivision. Refer to 6.2.6 – Table 1.

Subdivision – “Subdivision” shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided.

The division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law under any of the following conditions.

1. At the time the subdivision is made, every lot within the tract so divided has frontage on a street, as defined in the Monson Zoning Bylaws. Such frontage shall be of at least distance as is then required by the Zoning Bylaw of the Town of Monson for erection of a building on such lot.
2. Conveyance or other instruments add to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth.

Subdivision, Type 1 – A subdivision for residential purposes with less than eight (8) lots.

Subdivision, Type 2 – A subdivision for residential purposes with eight (8) or more lots, and/or business and commercial purposes.

Utilities – Private or municipal services to be furnished within the subdivision, including telephone, cable TV, electric light and power, gas lines, sanitary sewers, water drains, water pipes and appurtenances.

2.2 SUBDIVISION BASIC REQUIREMENTS

The subdivision of land shall conform to all applicable State and Local laws and ordinances, and rules, and regulations of boards and departments having jurisdiction.

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvements or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a plan has been endorsed “Planning Board Approval Not Required” or a Definitive Plan of such subdivision has been submitted to and approved by the Board as hereinafter provided, and subsequently recorded at the Hampden County Registry of Deeds and, in the case of registered land, with the recorder of the Land Court.

2.3 COMPLIANCE WITH ZONING BYLAWS

Subdivision lot divisions shall meet the requirements pertaining to lot size, frontage, and all other requirements under existing zoning laws. No subdivision rules can dictate the size, shape, width, frontage or use of lots except that they shall be in compliance with all applicable zoning requirements.

2.4 SUMMARY OF SUBDIVISION PROCEDURES

All plans and all procedures relating thereto shall in all respects comply with the provisions of these Rules and Regulations, unless the Board authorizes a variation there from in specified instances.

2.4.1 Any person desiring to make a subdivision within the meaning of the Subdivision Control Law of any land within the Town shall, before proceeding with the improvement or sale of lots in a subdivision and secure therein, submit to the Board a plan of such subdivision and secure approval by the Board of a Definitive Plan as hereinafter provided.

2.4.2 The Board will not approve or modify and approve any plan of a subdivision of land unless all lots and other proposals shown on said plan comply with the Zoning Bylaws of the Town or a variance from the terms thereof has been granted by the Zoning Board of Appeals.

2.4.3 The official in Town authorized to issue building permits shall not issue any permit for the erection of a building until first satisfied that the lot on which the building is to be erected is not within a subdivision, or that a way furnishing the access to a lot within a subdivision as required by the Subdivision Control Law is shown on a recorded plan and that any conditions endorsed thereon limiting the right to erect or maintain buildings on such lot have been satisfied.

2.4.4 The Board may assign as its agents appropriate Town agencies or officials and may hire consulting services to review plans and inspect improvements at the cost of the applicant.

2.4.5 The Board on its own motion or on the petition of any interested person shall have the power to modify, amend or rescind its approval of a plan of a subdivision, or to require a change in a plan as a condition of its retaining to status of an approved plan after due notice and opportunity to the owner to be heard in accordance with MGL c. 41, section 81-W. The time requirements shall be the same as in the case of the Definitive Plan.

2.4.6 Plans intended for review at a regular meeting of the Planning Board shall be forwarded to the Planning Board at least three full working days prior to the Planning Board meeting. The day of the next regular Board meeting shall be considered to be the date of submission for all plans, except that the date of mailing shall be the date of submission for Definitive Plans sent by registered mail to the Planning Board in care of the Town Clerk. For plans transmitted to the Planning Board in other than at a regular Board meeting or other than through the Town Clerk, the date of submission shall be considered to be the day of the next regular Planning Board meeting after such transmittal. Plans shall not be considered "submitted" until all required documentation has been received.

2.5 EFFECT OF PRIOR RECORDING OF A SUBDIVISION PLAN

The recording of a plan of land within the Town of Monson in the Hampden County Registry of Deeds prior to the effective date of the Subdivision Control Law in the Town of Monson shall not exempt the land within such subdivision from the application and operation of these Rules and Regulations except as specifically exempt by MGL c. 41, section 81-FF.

2.6 WAIVERS

The Board may waive strict compliance with any of these Regulations if it deems it in the public interest, is not inconsistent with the purpose and intent of the Subdivision Control Law, and if written record is kept of such waivers and the reasons for them.

2.7 ENGINEERING

The Definitive Plan of property shall be prepared by a Registered Land Surveyor. Definitive Construction plans shall be designed by a Registered Professional Engineer.

2.7.1 Inspection and Reimbursement for Consulting Services

1. Inspection shall be carried out at appropriate times during the development of the subdivision as described in Section 7.0 and in the Subdivision Inspection Checklist (Form K appended hereto). The sub-divider shall notify the Board, or an engineer appointed by the Board, at least four (4) working days before carrying out each operation to be inspected.
2. The Board may make arrangements with consultants to carry out such inspection on behalf of the Town.
3. The costs of inspection shall be borne by the developer and shall be reimbursed to the Town by certified check or money order payable to the "Town of Monson". Inspection costs shall include but not be limited to: on-site inspections, "portal-to-portal" travel, off-site analysis of plans, water testing, and soil testing.
4. Failure to pay any reimbursement provided in these Regulations at the stated time, or within thirty (30) days following mailing of an invoice, whichever is earlier, shall be sufficient grounds for the Board to disapprove or rescind its approval of a Preliminary Plan or Definitive Plan of a subdivision. In addition, no performance guarantee shall be released by the Town until the Board of Selectmen determine that all reimbursements have been paid in full by certified check or money order, payable to the "Town of Monson".
5. The developer has the responsibility to ensure that the approved construction plans are implemented. Use of qualified persons to furnish adequate and timely engineering supervision during construction is required. Surveillance and field

revisions by Town officials or consultants appointed by the Board cannot be construed as fulfilling this responsibility.

6. A letter of credit shall be required and shall be used by the Town to pay for any additional consultants which it finds necessary to hire in order to carry out an effective review of the proposed subdivision.

2.8 AMENDMENTS

These Rules and Regulations or any portion thereof may be amended from time to time in accordance with MGL c.41, section 81-Q of the Subdivision Control Law.

2.9 SEPARABILITY

If any section, paragraph, sentence, clause, provision, phrase or word of these Regulations shall be adjudged not valid, the adjudication shall apply only to the material so adjudged and the remainder of these Regulations shall be deemed to remain valid and effective.

2.10 VALIDITY

The invalidity of any section, paragraph, clause or provision of these Rules and Regulations shall not invalidate any other section, paragraph, clause or provision therein.

2.11 COORDINATION WITH MUNICIPAL DEPARTMENTS AND OTHER AGENCIES

In the Town of Monson, certain services are provided to subdivision under the jurisdiction of various Town Departments and other quasi-public agencies.

Compliance with the applicable regulations and requirements of these agencies and departments shall be required before a plan is approved by the Planning Board, and certification of performance relative to the proper construction and installation of respective utilities shall be required before the performance guarantee can be reduced or released.

2.12 FORMS

Appended to the Regulations hereto are sample forms for the administration of these Regulations. The administrative content of these forms may be revised from time to time by administrative action of the Board apart from Section 2.7.

SECTION 3.0 PLANS BELIEVED NOT TO REQUIRE APPROVAL OF NON SUB-DIVISION PLANS

3.1 GENERAL

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land in the Town of Monson who believes that his plans does not require

approval under the Subdivision Control Law, may submit his plans as hereinafter provided, to the Planning Board for such determination.

3.2 Filing Procedure

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court, a plan of land, and who believes that this plan does not require approval under the Subdivision Control Law, must submit to the Planning Board the following:

1. A reproducible original and four (4) copies of his/her plan.
2. Application Form B appended hereto, signed by the owner and providing all information requested.
3. A review fee, in the amount of \$35.00 for each lot shown on the plan.
4. All supporting evidence necessary to show that the plan does not require approval.

Any person submitting a Plan Believed Not to Require Approval and any necessary documents as may be required in these Rules and Regulations to the Board for approval shall give written notice to the Town Clerk by delivery, or by registered, or certified mail. Receipt of such a plan by Town Clerk shall constitute the date of submission.

If, in the judgement of the Board, consulting services are necessary or appropriate, the applicant shall, prior to a determination on the Plan Believed Not to Require Approval by the Board, reimburse the Town for the full cost of such services. All such consultants shall be selected by the Board. Reimbursement shall be by certified check or money order made payable to the "Town of Monson".

3.3 Contents

The plan shall be prepared by a Registered Land Surveyor at a scale not smaller than one (1) inch equals one hundred (100) feet and shall contain the following information:

1. Title, boundaries, true north arrow, date of submission, scale and legend.
2. The names and addresses of the owners of record, the applicants and the Registered Land Surveyor.
3. Names of all abutters as they appear in most recent tax list.
4. Location, dimensions and purposes of all easements, both existing and proposed, within and adjacent to the land in question. Location and use of any existing structures on the land.

5. Location, names, lines and widths of all existing streets and any common or public areas (if more than one lot is proposed).
6. The plan shall show the entire area in which the division takes place and all boundary lines, dimensions of all lots, sites or division, lot areas in square feet, with all lots designated numerically and in sequence.
7. Frontage and area of any remaining adjoining land owned by the applicant. If on the plan an area is left for the future possible construction of a road to back or adjacent land, a ten (10) foot wide slope easement shall be shown on all lots abutting such road area to enable proper slope construction if and when the road is built. The slope easements shall go with the easement for future roadway and utility construction of the road area.
8. Suitable space to record the action of the Board and the signature of the members of the Board. The zoning classifications of the land that contains the property, and location of any zoning boundary lines that lie within the area and a reference to the Town Zoning Map.

3.4 Board Action

If the Planning Board determines that the plan does not require approval, it shall within twenty-one (21) days after date of submission, and without a public hearing, endorse on the plans the words, "Approval Under The Subdivision Control Law Not Required". Said endorsement shall be signed by a majority of the Board or by a person authorized by the Board.

Where the Board determines that in its opinion adequate access (as contemplated by MGL c. 41, section 81-M and Section 1.2 of these Regulations) does not exist, then the Board shall determine that the plan does require approval under the Subdivision Control Law.

If the Planning Board determines that in its opinion the plan requires approval under the Subdivision Control Law, it shall within twenty one (21) days of submission give written notice of its determination to the Town Clerk and applicant and return the plan to the applicant.

Before the Board makes its determination, it shall review or have a consultant review the correctness of all street information and compliance with the Monson Zoning Bylaw. If, in the judgement of the Board, consulting services are necessary or appropriate, the applicant shall reimburse the Town for the full cost of such service prior to the endorsement of the plan.

If the Board fails to act upon a submitted plan within twenty one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

3.5 Administration

One copy of the plan with a notation of its action shall be retained by the Board, the remaining copies shall be filed with the Town Clerk, the Board of Assessors and the Building Commissioner.

4.0 PRELIMINARY PLAN

4.1 General

Before submitting an application for the subdivision of land, the applicant shall familiarize himself/herself with the Rules and Regulations governing the subdivision of land and the Board of Health Regulations governing Minimum Requirements for Disposal of Sewage in Un-sewered Areas, together with applicable local ordinances and bylaws.

A Preliminary Plan of a subdivision may be submitted by the applicant to the Planning Board for discussion and approval by the Board. The submission of such a Preliminary Plan will enable the sub-divider, the Board and other municipal agencies to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. The degree of review and effectiveness of the Board's comments shall be in direct proportion to the accuracy and amount of information provided by the applicant on the Preliminary Plan. It is strongly recommended that a Preliminary Plan be filed in every case.

Prior to submission of the Preliminary Plan to the Planning Board for approval, the sub-divider should discuss the Plan with the Board of Health, Board of Selectmen, Conservation Commission, School Committee, Fire Department, Police Department and Highway Department to obtain their recommendations. These recommended actions should be transmitted to the Board by the respective agencies. These recommendations may be incorporated in the Preliminary Plan with any changes and additions suggested by the Board.

4.2 Submission

Any person submitting a Preliminary Plan of a subdivision and necessary documents as may be required in these Rules and Regulations to the Board for approval shall give written notice to the Town Clerk by delivery, or by registered, or certified mail. Receipt of such a plan by the Town Clerk shall constitute the date of submission.

The applicant shall submit ten (10) copies of the Preliminary Plan and all necessary information to the Board. The applicant shall submit a copy of Request for Determination of Applicability as submitted to the Monson Conservation Commission. The Board shall forward copies of the plan to other Town agencies and or departments for their review.

4.3 Filing Procedure

1. Ten (10) copies of his/her Preliminary Plan.
2. Application Form C, appended hereto, signed by the applicant and providing all information requested.

3. A filing fee in the amount of \$50.00 per lot. The filing fee shall be in the form of a certified check or money order made payable to the "Town of Monson", or written evidence that said filing fee has been paid to appropriate Town official.
4. A letter of credit in the amount of three thousand (\$3000.00) dollars to expire not sooner than one hundred twenty (120) days after the date of filing of the Definitive Plan. Said fee shall be used by the Town to pay for any additional consultants who it finds necessary to hire to carry out an effective review of the proposed subdivision.
5. Ten (10) copies of a draft Development Impact Statement (DIS).

4.4 Contents

The applicant is required to submit a Preliminary Plan of the entire parcel of land, which shall show tentative proposals with a sufficient degree of accuracy and completeness of data to make the proposals clear.

The Preliminary Plan shall be drawn at a scale of 1" = 100' maximum, on 24" x 36" sheets. Said plan shall show sufficient information about the subdivision or form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. In addition, the plan shall show at least the following information.

1. Proposed subdivision name or identifying title, boundaries, north point, date, scale, legend and title "Preliminary Plan", and block for approval in the lower right hand corner.
2. Name and address of the owner or owners of record, the applicant and the Registered Professional Engineer, Land Surveyor, and other designer with professional stamp.
3. Names and Addresses of all abutters and those owners of land separated from the subdivision only by a street, as determined by the most recent tax list.
4. Existing or proposed lines of streets, sidewalks, ways, lots, easements and public or common areas within the subdivision in a general manners, purpose of easements shall be indicated.
5. Proposed system of drainage, including the location of all swamp, marsh and lowland, water bodies, streams, open drains and ditches, natural or man made, and flowage rights, public and private, adjacent to or within the proposed subdivision in a general manner.
6. Approximate boundary lines of all proposed lots or division of land with their approximate areas and dimensions, lots to be numbered in sequence. Lot numbering is to be approved by the Assessors.

7. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
8. Topography of the land in a general manner at a ten (10) foot contour interval or better, based on USGS data and SCS soil maps if available, including major features such as wooded areas, ditches, wetlands, floodplains, stone walls, rock outcroppings and trees over eighteen (18) inches d.b.h.
9. Location of existing buildings.
10. On land to be subdivided in un-sewered areas, such information as is required by the Monson Board of Health Rules to determine the general feasibility of subsurface sewage disposal.
11. Location of natural waterways and water bodies within and adjacent to the subdivision.
12. Zoning classification of all land shown in the plan including overlay zoning such as floodplain, of water supply protection districts, the applicant is urged to prepare acetate overlays in order to expedite Board review.
13. A key map showing all the proposed subdivision streets extended to show the intersection of at least two existing streets to a scale of one (1) inch equals one (1) thousand feet.
14. Proposed street grade, where land slopes are greater than five (5) percent, the Board shall require information on proposed street grades so that consideration may be given to them at the time of submission of the Preliminary Plan.
15. When multiple sheets are necessary, match lines shall be used and referenced. An index graphically indicating the arrangement of said standard (24" x 36") sheets at a suitable scale shall be provided.
16. A locus or location plan at USGS scale showing the subdivision and its location to the surrounding roadways and physical features.

During discussion of the Preliminary Plan, information required for the Definitive Plan and the financial arrangements will be developed.

4.5 Board Action

After submission, the Preliminary Plan will be reviewed by the Planning Board, Board of Health and other municipal agencies and departments to determine whether it is in compliance with these Rules and Regulations and with those additional requirements of other municipal agencies and departments. These recommendations may be incorporated in the Preliminary Plan with any changes and additions suggested by the Board.

The Preliminary Plan, when submitted, will be studied to determine if it is in compliance with these Rules and Regulations.

Within forty five (45) days after the Preliminary Plan is submitted, the Planning Board shall hold a Public Hearing. The Planning Board, as well as the Board of Health, shall approve, disapprove, or approve with modification the Preliminary Plan, noting thereon any changes that should be made. In the case where the subdivision of land will occur in an un-sewered area, the Board shall not approve a plan until after the receipt of a report from the applicant's consultant, describing on-site sewage disposal suitability. A disapproval by the Board will be accompanied by a detailed statement of reasons for the action. Other municipal agencies or departments should notify the Planning Board within thirty (30) days after the Preliminary Plan is submitted of their respective approval or disapproval of the Plan, and if disapproved, shall list their reasons in writing.

The applicant shall submit a request for Determination of Applicability with the Monson Conservation Commission at the time of submission of the Preliminary Plan.

The Planning Board shall file a certificate of its action with the Town Clerk, and shall send notice of its action by certified mail to the applicant. One copy of the Plan shall be returned to the sub-divider and the others retained by the Board. Failure of the Planning Board to act upon a Preliminary Plan within forty five (45) days after submission shall be deemed to constitute approval of such a plan.

4.6 Relation of Preliminary Plan to Definitive Plan

Approval of the Preliminary Plan by the Planning Board does not constitute approval of a subdivision, but does facilitate the procedure in securing approval of the Definitive Plan. In addition, such approval does not in any way authorize the owner to proceed with construction of roadways and/or other work in the subdivision.

5.0 DEFINITIVE PLANS

5.1 General

A Definitive Plan or a subdivision must be submitted to the Planning Board for approval. A Definitive Plan shall be governed by the Subdivision Regulations in effect at the time of submission of such plan or in effect at the time of the submission of the Preliminary Plan, provided that a Definitive Plan evolved there from shall have been submitted to the Planning Board within seven (7) months from the date of submission of the Preliminary Plan.

A Definitive Plan shall also be governed by the zoning in effect at the time of submission of such plan or a Preliminary Plan from which a Definitive Plan is evolved in accordance with the provision of Section 5 of Chapter 40A of the Massachusetts General Laws as amended.

5.2 Submission

Any person submitting a Definitive Plan and any necessary documents as may be required in these Rules and Regulations to the Board for approval shall give written notice to the Town Clerk by delivery, or by registered or certified mail. Receipt of such plan by the Town Clerk shall constitute the date of submission.

If, in the judgement of any Town Board or department charged with review of said plans, consulting and inspection services are necessary or appropriate, the applicant shall, prior to a determination on the Definitive Plan by the Board, reimburse the Town for the full cost of such services. All such consultants and inspectors shall be selected by the Planning Board. Reimbursements shall be certified check or money order made payable to the "Town of Monson".

5.3 Filing Procedure

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

1. On original reproducible drawing to be retained by the applicant and submitted to the Board by request.
2. Ten (10) contact prints (dark line on white background) made from the original drawing.
3. A property executed application Form D, appended hereto, signed by the applicant and providing all information requested.
4. Filing fee in the amount of \$100.00 per lot, if a Preliminary Plan was filed or \$200.00 per lot, if no Preliminary Plan was filed, e.g. \$100.00 dollars (or \$200.00 dollars) times the number of new buildable lots shown on the Definitive Plan, the filing fee shall be in the form of a certified check or money order made payable to the "Town of Monson".
5. One set of two overlays shall be prepared on acetate the same scale as the Definitive Plan; these overlays shall illustrate the following features:
 - (a) Overlay #1 – One hundred year floodplains, wetlands, aquifer recharge areas.
 - (b) Overlay #2 – Soils (including soil types), slopes greater than 12%.
6. Certified List of Abutters Form L, appended hereto, signed by the applicant and providing all information requested.
7. Ten (10) copies of the Development Impact Statement prepared by the developer.

8. Ten (10) prints of street plans and profiles of every proposed street.

5.4 Contents

The Definitive Construction Plan shall be prepared by a Registered Professional Engineer and a Definitive Plan of property prepared by a Registered Land Surveyor. Plans shall be submitted on Mylar in accordance with Hampden County Registry of Deeds suitable for filing. The plan shall be at a scale one (1) inch equals forty (40) feet, unless otherwise specified by the Planning Board, and of a sheet size not to exceed 24" x 36" outside dimensions. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision, and all plans, layouts, profiles, cross-sections and application shall be deemed to constitute the Definitive Plan.

The Definitive Construction Plan shall contain the following information:

1. The subdivision name, boundaries, true north arrow, date, scale, legend, and title "Definitive Plan", a block for approval in the lower right hand corner.
2. Data required in Sections 4.4 (2) through 4.4 (7).
3. Locations of existing buildings to remain.
4. Major site features, such as existing stone walls, fences, buildings, trees larger than 36" in diameter, rock ridges and out-croppings, swamps, flood plains, historic features, and wooded areas, the plan shall identify which of the above shall remain undisturbed.
5. Location of natural waterways and water bodies within and adjacent to the subdivision.
6. Existing and proposed topography at a two (2) foot contour interval for gentle slopes (less than 10%) and a five (5) foot contour interval for steep slopes 10% or greater.
7. Key plan, showing location of the subdivision at a scale of one (1) inch, equals one (1) thousand feet and an accurate index plan at a scale of one (1) inch equals two (2) hundred feet or a scale matching that used on the individual Assessors map (full size) on which the proposed development is located.
8. Location of stone bounds to be set at the intersections of street lines, angle points, and changes in direction of curvature of streets.
9. Names of proposed streets which shall have been previously approved by the Planning Board.

10. Sufficient data to determine readily the location, direction, width and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
11. Size and location of existing and proposed water supply facilities.
12. Size and location of all fire hydrants, pump, water lines between hydrants and pump, and source (s) of water for fire fighting.
13. Location and results of all percolation tests to evaluate sub surface conditions for each lot in the prospective subdivision; these tests will be done if the individual sewer systems are proposed. The tests will be done in accordance with the State Sanitary Code and the regulations of the Board of Health and a minimum of 33% of the lots shall have percolation tests completed.
14. Where a storm drainage line discharges into a drainage area, a profile will be shown of the drainage area to determine condition, and proposed method of stabilization.
15. Cross sections and construction details including:
 - a) Roadway section showing paving, crown, berm, shoulder, width, walk, and all other components or features.
 - b) Drainage details for catch basins, man-holes, inwalls and all other components or features, with specific references to the appropriate sections of the State Construction Standards.
 - c) Drainage trench or waterway relocation section.
16. A street layout plan on a separate twenty four (24) inch by thirty six (36) inch sheet, horizontal scale one (1) inch equals forty (40) inches, for each street in the subdivision showing exterior lines, roadway lines, partial lot lines, curb lines, intersection angles, points of tangency, and rail of curves; also included on the street layout plan shall be location, size, type of construction, elevations and invert, whenever applicable, of all pipes and conduits of the:
 - a) Water Supply System, including pumps, valves, stubs, gates, hydrants, and similar equipment.
 - b) Storm Drainage System, including manholes, pipes, culverts, catch basins and appurtenant structures.
 - c) Sanitary Sewerage System, including piping, manholes, pumps, community septic tanks, and appurtenant equipment.

- d) Natural Gas Supply System, including pipes, pumps, valves, gates and similar equipment.
 - e) Electrical, Telephone and Cable TV Supply Systems, including piping, handholes, transformer pad mounts, and similar equipment.
 - f) Lighting System, including location of street light poles.
17. Zoning classification of all land shown in the plan including overlay zoning such as floodplain, wetlands, or water supply protection districts; the applicant is urged to prepare acetate overlays in order to expedite Board review.
 18. A Plan of the applicant's contiguous un-subdivided land showing possible or contemplated development and street layout.
 19. Suitable space to record the action of the Board and the signatures of the members of the Planning Board on each sheet of the Definitive Plan.

Where the applicant elects to secure completion of required improvements by covenant (rather than bonds or surety), there shall be a notation above such space as follows:

Approved _____, subject to covenant conditions set forth in a covenant executed by _____, dated _____ and recorded in the Hampden County Registry of Deeds, Book No: _____, Page No: _____.

5.5 PERFORMANCE GUARANTEE

5.5.1 General

Before endorsement of the Board's approval of a Definitive Plan of a subdivision, the applicant shall agree to complete the required improvements specified in sections entitled Design Standards and/or Construction Standards. These improvements for the construction of ways and the installation of municipal services are to be secured in accordance with Section 81U of the Subdivision Control Law. The amount of the guarantee shall be approved by the Planning Board and sufficient to cover the cost of all or any part of the improvements plus a 10 percent contingency factor.

5.5.2 Approval with Bonds or Surety, (Use Form G)

The applicant shall either file a performance bond secured by surety, or deposit monies or negotiable securities with the Town Treasurer (in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements). Such bond or money or negotiable securities must be approved as to form and manner of execution by the Town Counsel or Counsel to the Board, and as to sureties by the Board of Selectmen, and shall be contingent on

the completion of such improvements within two (2) years of the date of the bond or the date of deposit of money or negotiable securities.

If the Board shall decide at any time during the term of the performance bond that:

1. Improvements have been installed in a satisfactory manner in sufficient amount to warrant a reduction in the face amount of such bond; or
2. The character and extend of the subdivision requires additional improvements, previously waived, then the Board may modify its requirements for any or all such improvements and the face value of such performance bond shall thereupon be reduced or increased respectively by an appropriate amount.

5.5.3 Approval with a Covenant

Instead of filing a bond or depositing a surety, the applicant may request approval of his Definitive Plan on condition that a covenant with the land will be duly executed, recorded and inscribed on the Plan or on a separate sheet attached to the Plan and recorded in the Hampden County Registry of Deeds. Such covenant shall provide in part that no lot may be built upon or sold until all of the improvements as required in these regulations have been completed and approved as provided hereafter.

Covenant may be released at the Board's discretion, if remaining improvements are bonded to the Board's satisfaction.

Before endorsement of approval of a Definitive Plan, there shall be filed by the applicant a properly executed Approval with Covenant Contract (Use Form E).

Prior to delivering to the applicant a Certificate of Performance (Use Form F) whereby the restrictions relating to the lot or lots listed therein shall be terminated, the Board shall determine to its satisfaction that such improvements have been completed so as to adequately serve such lot or lots.

5.5.4 Approval with a Mortgage Agreement

After sufficient improvements have been made by the applicant to give the Board reason to release one or more lots from a performance guarantee and following the recording of a first mortgage on a lot or lots in the subdivision given as security for advances to the sub-divider by a lender, the Board may, at its option, release lots from the operation of a performance guarantee without receipt of a bond or deposit of money upon delivery to the Board of an agreement with the Board which agreement shall be executed by the applicant and the lender and shall provide for the retention by the lender of sufficient funds otherwise due the applicant to secure the construction of ways and the installation of utilities. Said agreement shall provide for a schedule of disbursements which may be made to the applicant upon completion of various stages of the work and shall further provide that in the event the work is not completed within the time set forth by the applicant, any funds remaining undisbursed shall be available to the Town of

Monson for completion of the unfinished work and correction of deficiencies. All of the above as specified under the provision of M.G.L., Chapter 41, Section B14, as amended.

5.5.5 Reduction of Bonds or Surety

The penal sum of any such bond, or the amount of any deposit held may, from time to time, be reduced by the Planning Board and the obligations of the parties thereto released by said Board, in whole or in part. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required.

5.5.6 Completion Time Schedule

The performance guarantee, whether by bond, deposit of money or covenant, as previously described herein, shall be contingent upon the completion of such improvements as required in these Rules and Regulations within two (2) years of the date of such bond, deposit of money, or covenant.

There shall be as least a two year (2) period between the completion date of all improvements and the expiration date of any bond or deposit of money. Said two year (2) period shall give the Town the opportunity to complete the necessary improvements in case:

1. The developer is unable to do so; and/or
2. The Board denies any requests for an extension of time.

Upon written request from the applicant, the Planning Board may, at its discretion, grant an extension of time, and such agreement shall be executed and affixed to the bond or covenant.

In the case of a surety company bond, such an agreement shall not be effective until the surety delivers to the Board a written statement that the surety agrees to the proposed alteration of the completion schedule and that such alteration shall not relieve or affect the liability of the surety company.

In the case of a covenant, the Board may grant final approval of the Definitive Plan conditional upon the completion of the construction of all ways and installation of utilities within a specified time period from date of said covenant. Failure to complete such improvements shall automatically rescind approval of the plan.

Failure to complete all improvements as required by these Rules and Regulations within the time allotted shall cause the Board:

1. To draw upon the performance guarantee (surety bond or deposit of money) in order to complete said improvements; and/or
2. Schedule a public hearing in order to rescind approval of the subdivision in accordance with appropriate sections of M.G.L. Chapter 41, Section 81.

5.5.7 Final release of Performance Guarantee

Full security, in whatever form provided, shall not be released by the Selectmen until they receive written certification from the Planning Board of the following.

1. The integrity of road pavement, drainage and other improvements have been verified by one full calendar year of use or existence;
2. Provisions for the continued maintenance of improvements have been accepted by the Board;
3. The recorded plans have been received;
4. The Town has been reimbursed for the full cost of consulting services.

Upon completing work on any lot or lots, applicant shall notify the Town Clerk and the Board. If the Board determines that the work has been completed, it shall release the bond or covenant on such lot or lots and return the bond or deposit.

If the Board determines that the work has not been completed, it shall within forty five (45) days notify the Town Clerk and the applicant of the details wherein the work fails to comply with its rules and regulations.

5.6 Additional Subdivision Requirements

5.6.1 Development Impact Statement

For a complete description, refer to Section 8.0.

5.6.2 Water Supply Protection District

Any portion of a proposed subdivision which lies within the limits of the Water Supply Protection District shall conform to the requirements of said district as stated in the appropriate section of the Monson Zoning Bylaw.

5.6.3 Wetland Protection

In accordance with M.G.L. Chapter 131, Section 40, no person shall remove, fill, dredge or alter any bank, beach, dune, flat, marsh, meadow or swamp bordering on any existing creek, river, stream, pond, lake or any land under said waters or subject to flooding without filing written notice of intention to perform said work with the local Conservation Commission and/or Department of Environmental Protection.

In order to determine if the proposed subdivision or parts thereof are subject to the provisions of the Wetland Protection Act, the applicant shall submit a Request for Determination of Applicability to the Monson Conservation Commission.

5.6.4 Sewer Extension Permits

Under the provision of M.G.L. Chapter 21, Section 43, an application must be submitted by the Applicant to the Massachusetts Department of Environmental Protection, Bureau of Resource Protection on the appropriate forms, for a permit to allow construction of any sewer extensions of a public sewerage system, including construction plans for pumping stations, forced mains, siphons and other appurtenances.

It shall be the responsibility of the applicant to furnish the Planning Board and Monson Water & Sewer Commission at the time of submission of the Definitive Plan, preferably with the Preliminary Plan, with the necessary data, specifications and construction plans of the proposed sewer extension project, as required on the application, said application form to be subsequently completed and signed by the Selectmen for submittal to the Bureau of Resource.

5.6.5 Restrictive Covenants

The applicant shall submit, whenever applicable, as part of his/her/their application, any and all documents, such as home owners' association rules and regulations of any commonly owned/shared land, detention pond, open space, recreation area, etc. Said documents shall be submitted by the Planning Board to the Board of Selectmen and the Town Counsel appointed by the Board of Selectmen, and their responses shall be given in writing within thirty (30) days of the date of submittal.

5.6.6 Easements

All easements to be granted by the developer to the Town shall be shown on the subdivision plans with bearings and distances, and their purpose shall be clearly stated. In addition, the applicant shall submit, as part of his application, easement documents, suitable for recording, deeding said easements to the Town. The easements shall be submitted by the Planning Board to the Board of Selectmen and the Town Counsel, and their response shall be given in writing within thirty (30) days of the date of submittal.

5.7 Review Procedure

Before approval of the Plan, the applicant shall comply with all the reasonable rules and regulations of the various Town Departments. Copies of the Zoning Bylaw, General Bylaws, the Board of Health Regulations and other appropriate information may be obtained from the respective Departments. Also before final approval of the Plan, the applicant shall insure that lots in a Definitive Plan be in conformity with the applicable zoning regulations, and failure of the lots to so comply will be adequate grounds for disapproval of the Definitive Plan.

5.7.1 Review By The Board of Health

At the time of the filing of the Definitive Plan with the Planning Board, two (2) copies shall also be filed by the applicant with the Board of Health. The Board of Health shall within forty five

(45) days of filing report to the Planning Board in writing with signatures of a majority of its members, its approval or disapproval of the Plan, as required by M.G.L. Chapter 41, Section 81U. A copy of such report shall be sent to the applicant. If the Board of Health disapproves such plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustments thereof. Approval of the Planning Board shall then only be given provided that the applicant documents having reviewed the plan with the Board of Health, and only on the condition that the designated lots of land shall not be built upon or served with utilities (including septic tanks and drainage) without prior consent of the Board of Health. The Planning Board shall endorse on the plan such conditions specifying the lots or land to which such condition applies. Failure of the Board of Health to report shall be deemed as approval by the Board of Health. In the event approval by the Board of Health is by failure to make a report, the Planning Board shall note on the Plan that health approval is by failure to report.

All subdivisions shall connect to the Town sanitary sewerage system where this system is available and where it is feasible to do so. Every lot not served by the Town sewerage system shall have an adequate approved sewage disposal system satisfactory to the Board of Health.

5.7.2 Review By The Conservation Commission

At the time of the filing of the Definitive Plan with the Planning Board, one (1) copy shall be filed by the applicant with the Conservation Commission for review. The making of a report by the Conservation Commission to the Planning Board concerning a proposed Definitive Plan shall not be treated so, nor deemed to be approval of, an Order of Conditions or any other approval provided by the Wetland Protection Act or regulations issued there under, or by any local wetlands bylaw; and, a request by Planning Board for such a report shall not be treated as, nor deemed to be, a Notice of Intent or any other application provided by the Wetland Protection Act or regulations issued there under, or by any local wetland bylaw.

5.7.3 Review by Other Town Agencies

The Planning Board shall, upon submission of a Definitive Plan, transmit one copy to any other Town agency and/or department, and any consultants selected by the Board for their review. Comments and recommendations shall be made to the Planning Board within twenty one (21) days following receipt of a copy of the plan. Failure of any Town agency and/or department to report shall be deemed approval of the Plan by that agency and/or department.

5.8 Approval of The Definitive Plan

5.8.1 Public Hearing

Before approval, modification and approval, or disapproval of the Definitive Plan is given, a public hearing shall be held by the Board. Said Public Hearing shall be held after the Board of Health makes its report or after the forty five (45) day period to report expires.

Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be given by the Board at the expense of the applicant by advertisement in a newspaper of general circulation in successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing. If there is no such newspaper in Town, then such Notice shall be posted in a conspicuous place in the Town Hall for a period of not less than fourteen (14) days before the day of such hearing.

The applicant shall mail notice of the hearing by registered mail to all owners of land abutting upon the subdivision or separated from such land only by a street as appearing in the most recent tax list submitted by the applicant (See Form M). The applicant or his representative should be present at the hearing.

5.8.2 Approval, Modification or Disapproval

1. After the required Public Hearing and after the report of the Board of Health (or lapse of forty five (45) days without such report), the Planning Board shall approve, modify and approve, or disapprove such Plan. In determining whether or not the Plan conforms to these Regulations, the following criteria shall be considered:
 - a) Completeness and technical adequacy of all submissions.
 - b) Determination that development at this location, as proposed in the Definitive Plan, does not entail unwarranted hazard to the health, safety or welfare of future residents of the subdivision or to others because of possible natural disasters, traffic hazard, or environmental degradation.
 - c) Conformity with the Design Standards included in or cited by these Regulations.
 - d) Conformity with all applicable zoning requirements.
 - e) Consistency with the purposes of the Subdivision Control Law.
2. A definitive Plan disapproved by the Board of Health shall not be approved by the Planning Board until the deficiencies noted by the Board of Health have been corrected. In the event of disapproval, the Board shall state in detail wherein the plan does not conform to these regulations or the recommendations of the Board of Health. Favorable action shall require a majority vote of the Board members. If the Board modifies or disapproves such Plan, it shall state with its vote the reasons for its action.
3. Time limits for action by the Board.

- a) Where a preliminary plan has been submitted and acted upon or where at least forty five (45) days have elapsed since submission of the Preliminary Plan, an applicant may file a Definitive Plan. The failure of the Planning Board either to take final action or to file with the Town Clerk a certificate of such action regarding a Definitive Plan submitted by an applicant within ninety (90) days after such submission, or ninety (90) days after the postmarked date if the Plan is submitted by mail, or such further time as may be agreed upon at the written request of the applicant, shall be deemed to be an approval thereof. Notice of such extension of time shall be filed immediately by the Planning Board with the Town Clerk.
- b) Where no Preliminary Plan has been submitted and acted upon or where forty five (45) days have not elapsed since submission of such Preliminary Plan, and a Definitive Plan is submitted, the failure of the Planning Board to take final action regarding a plan submitted by an applicant within one hundred thirty five (135) days after such submission, or one hundred thirty five (135) days after the postmarked date if the Plan is submitted by mail, or such further time as may be agreed upon at the written request of the applicant, shall be deemed to be an approval thereof. Notice of such extension of time shall be filed immediately by the Planning Board with the Town Clerk.

5.8.3 Approval is not Acceptance

Approval of the Definitive Plan, or subsequent release of security upon completion of construction, does not constitute the laying out or acceptance by the Town of streets and easements within a subdivision. Compliance with the existing Laws of the Commonwealth and Bylaws and procedures of the Town of Monson are all required before acceptance of any street or easement. Such acceptance is at the discretion of the Town.

5.8.4 Endorsement of the Plan

Approval, or approval with modifications, if granted, shall be endorsed on a reproducible drawing of the Definitive Plan in a form acceptable to the Registry of Deeds by the signatures of a majority of the Board, but not until all of the following events have occurred:

1. The expiration of twenty days without notice of appeal to the superior court, or, if appeal has been taken, the expiration of twenty (20) days after the entry of a final decree of the court sustaining the approval of such plan.
2. The Town shall be reimbursed the full cost of all consulting services rendered up to the time of approval of the plan.
3. A performance guarantee shall be submitted and approved as provided in Section 5.4 of these Regulations; the Developer is to provide the Town with a satisfactory

performance guarantee within thirty (30) days after the twenty (20) day appeal period has expired, and upon acceptance of the guarantee, the Plan will be endorsed within thirty (30) days by the Planning Board.

4. The necessary corrections, whenever applicable, on the plan, easements, master deeds, or restrictive covenants, etc., have been made if conditional approval was given to the satisfaction of the Board.

Failure of the applicant to meet the above requirements shall be full and sufficient reason to withhold endorsement.

The Plan bearing such endorsement shall be delivered by the Planning Board to the person who submitted such plan.

After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with four (4) copies thereof, and with a reproducible permanent original.

5.8.5 Recording of Plan and Notification of the Board

1. Within ten (10) days after the Definitive Plan, as approved and endorsed, has been recorded in the Hampden County Registry of Deeds and in the case of registered land, with the recorder of the Land Court, the applicant shall notify the Board in writing of the date of such recording and provide written evidence of such recording.
2. Upon the receipt of notification of recording, the Board shall file one print with the Town Clerk, Board of Assessors and the Building Inspector. In accordance with the statute, where approval with covenant is noted thereon, the Building Inspector shall not issue any permit for the construction of a building on any lot within the subdivision without receipt from the Board of a copy of the Certificate of Performance (Form F).

5.9 Release of Performance Guarantee

1. Procedures for Full or Partial Release

Upon the completion of improvements required by these Rules and Regulations, the sub-divider may request either partial or full release of the bond, deposit or covenant by sending a written statement in duplicate that said construction or installation has been given and request for release by registered mail to the Planning Board and the Town Clerk. Release will be granted only following written approval by an engineer appointed by the Planning Board and any other Town Officials concerned with the work performed. If the Board determines that said construction or installation has not been completed, it shall specify to the sub-divider in writing the details wherein said construction and installation fails to comply with these Rules and Regulations.

2. Procedures for Partial Release

The Planning Board may grant partial release from the bond, deposit or covenant for partial completion of improvements, provided that the completed portion provides a reasonable system for circulation and utilities pending completion of the rest, and provided that appropriate arrangements have been made for later disposition of such interim facilities as temporary turnarounds.

5.10 Modification, Amendment or Recision of Plan Approval

If the applicant fails to submit the required performance guarantees and other documentations and the endorsement of the plan by the Planning Board is delayed more than six (6) months, the Planning Board, on its own motion, shall exercise its power to modify, amend, or rescind its approval of the subdivision plan or to require a change in the plan as a condition of said plan retaining the states of an approved plan.

5.11 Acceptance of Ways and Footpaths

Approval by the Board of a Definitive Subdivision Plan shall not constitute the laying out or acceptance of by the Town of any streets, bikeways, or footpaths within a subdivision.

6.0 DESIGN STANDARDS

6.1 General

6.1.1 Basic Requirements

State Construction Standards shall be followed, and all matters left open or undefined in those Standards shall be specified by the Board on a case by case basis. Specification of matters not covered by the State Construction Standards shall be made by the Board or its engineering consultant on a case by case basis, based wherever possible on the publications of the American Association of State Highway and Transportation Officials (AASHTO) or other publications cited in these regulations.

6.1.2 Street Plans and Access

Proposed streets shall be in harmony with existing and proposed thoroughfares and streets appropriate to the topography, and designed to afford safe access to the abutting lots, giving due consideration to contours and natural features. They shall be consistent with the Master Plan of the Town prepared by or being prepared by the Board. Where required by the Board, provision shall be made in the proper locations for the extension of streets to abutting undeveloped land.

Each lot in a subdivision shall have access to and frontage on a public way or on a way shown on an approved plan of subdivision.

6.1.3 Lot Size and Frontage

All lots shall be of such size and dimensions as to at least meet the minimum requirements of the Zoning Bylaw.

6.1.4 Protection of Natural Features

All natural features, such as large trees, watercourses, wetlands, scenic points, historic spots, and similar community assets which will add attractiveness and value to the property shall be preserved. Six (6) inches of top soil shall be replaced on all disturbed earth within the subdivision.

6.1.5 Re-subdivision

Re-subdivision of all or part of land covered by an existing plan shall be governed by regulations in force at the time of re-submission. Such re-subdivision shall show clearly the areas being replatted and the file number of all previous plans of these same areas, together with filing dates.

6.2 Street layout and Design Standards

6.2.1 Location

1. All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel. Due consideration shall also be given by the sub-divider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
2. If adjoining property is not subdivided but is, in the opinion of the Planning Board, suitable for ultimate development, provision shall be made for the proper projection of streets into such property, by continuing appropriate streets within the subdivision to the exterior boundary line thereof.
3. No privately owned reserve strip which controls access to land dedicated to public use, or which may be so dedicated will be permitted.
4. Streets shall be continuous and in alignment with existing streets, as far as adequate to ensure free circulation of vehicular travel. This section is intended to enable the Board to ensure both adequate access to the subdivision from adjacent streets and continuity of travel within the subdivision itself.
5. Sidewalks, grass strips, and curbs shall be required.
6. As far as practicable, roads shall follow natural contours.

6.2.2 Alignment

1. Visibility from the centerline of a street shall never be less than stopping sight distance as defined by AASHTO (current edition).
2. The vertical alignment at grade changes or minimum stopping sight distance at three and one half (3.5) feet above the pavement shall be as specified by AASHTO (current edition).

6.2.3 Street Jogs

Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of two hundred (200) feet between their centerlines. This minimum offset shall be observed whenever one or more streets entering opposite sides of another street are existing, whether located within or outside the boundary of the proposed subdivision.

6.2.4 Intersections

Streets and ways shall be laid out so as to intersect in accordance with the standards as shown in the following:

1. Except where it is impracticable because of the character of the land, streets shall intersect so that within seventy five (75) feet of the intersection, the street lines are at right angles. The grade of intersection streets shall not exceed plus or minus 2%. No structure or planting that will impair corner visibility will be permitted within thirty (30) feet of street intersections. Intersecting streets entering at angles of between 60° and 120° with the intersected street center line may be approved with greater visibility distances. Ninety (90°) degree intersecting streets are encouraged.
2. The vertical grade of either intersecting street shall not exceed a slope of three (3) percent for a minimum distance of one hundred (100) feet from the intersection.
3. Street signs bearing approved street names shall be provided and installed by the developer at his expense at all street intersections. Sign style shall be submitted to the Board for their approval.

6.2.5 Storm and Surface Drainage

1. General - Adequate disposal of surface water shall be provided for in a manner satisfactory to the Planning Board, and shall address runoff from the proposed subdivision. Such system may include a system of storm drains, culverts, ditches, under drains, detention basins, drywells, and related installations, including catch basins, gutters and manholes, and shall be designed and installed to provide adequate disposal of surface water, including control of erosion, flooding, storm water management and standing water from or in the subdivision and adjacent lands. A catch basin to manhole system of drainage is required.

When, in the opinion of the Planning Board, development of an area will increase runoff substantially to downstream properties, it shall require that a detention area be constructed. Such detention area will be designed to handle the one hundred (100) year storm without drainage and such size shall be determined by using the flood routing procedure as described in the U.S.D.A Soil Conservation Service Technical Release No.55. Storm water calculations shall be prepared by a Registered Professional Engineer using two methods of calculations. One method shall be as described in U.S.D.A Soil Conservation Service Technical Release No.55. Drainage conveyance systems shall be designed using the larger of two calculation capacities.

2. Piped Systems

- a) The construction of the drainage system, including methods of construction and quality of material used, shall be in conformity with the Definitive Plan and Section 200 of the Mass Highway Standard Specifications.
- b) The design capacity of the drains shall be determined by the rational method, unless the engineer exhibits satisfactory evidence that another approach is more appropriate for the specific case. The engineer shall design the drainage system in accordance with natural drainage boundaries of the total contributing drainage area.
- c) Drainage pipe within the roadway shall be reinforced concrete, or ACCM pipe with appropriate joints as approved by the Town Engineer, and have a minimum diameter of fifteen (15) inches. Catch basins to manholes may be twelve (12) inches in diameter.
- d) Stormwater shall not be permitted to cross any roadway upon the surface but must be piped underground. Stormwater runoff shall not be permitted to flow upon the road surface for a longer distance than four hundred (400) feet before it enters the underground system or is diverted off the roadway to ditches or swales.
- e) Proper connections may be made with any existing public drainage system with four hundred (400) feet of the subdivision, if that system has the capacity to absorb the flows from the project areas, and is permitted by the Board of Selectmen. Cost of all work in the Town way shall be paid by the developer.
- f) No open water body or pond shall be filled in, and no wet or swampy area shall be filled in unless approval has been obtained in accordance with M.G.L. Chapter 131.
- g) Where open stream channels exist within a subdivision, adequate provision shall be made for properly maintaining them or for properly enclosing them, if absolutely necessary. It is the Town's intent to preserve and maintain the

natural features of such streams and any development should be planned accordingly. All work shall be done in accordance with M.G.L. Chapter 131.

- h) Drainage pipe shall be bedded in compacted screened gravel to a depth of six (6) inches below the bottom of the pipe in earth and twelve (12) inches in rock. Gravel bedding shall be carried to the spring line of the pipe. Selected material containing no large boulders shall then be hand placed to an elevation of one (1) foot above the top of the pipe and compacted. Mechanical equipment may be used to backfill the trench above this point.
- i) Manholes and catch basins shall be precast, cast in place, block and a typical detail noting materials, dimensions, and construction details shall be submitted for approval.
- j) Drain manholes shall be located at every change in grade or direction of the drainage line, at catch basin connections, and shall not exceed four hundred (400) feet apart in continuous system.
- k) Iron casting for manhole frames and covers and catch basin frames and grates shall be extra heavy in accordance with Massachusetts Department of Public Works Standards.

Manhole cover shall have three (3) inch lettering to read “DRAIN”.

Catch Basin grates shall be Type A-1 or A-3.

- l) If sub-drainage is required, perforated cement, or ACCM pipe shall be used in bedding of three quarter (3/4) inch to one and one quarter (1 ¼) inch washed stone brought to the spring line of the pipe. The remaining trench shall then be backfilled with coarse bank run gravel or coarse sand.

6.2.6 Street Widths

The classification of town streets shall be as designated in the Plan of Circulation, and the classification of new streets and streets not shown on such Plan shall be as determined by the Planning Board. The following standards shall apply:

Table 1 Width of Roads in Local Streets

<u>Classification</u>	<u>Right of Way Width-Feet</u>	<u>Max. Grade</u>	<u>Paved Width</u>	<u>Design Speed</u>
Major (Arterial)	80	4%	50, (2) – 30	40 MPH
Secondary (Collector)	60 or 70	5%	40	40 MPH
Minor (Lane)	50 or 60	8%	24 or 30	30 MPH

Cul-de-Sac / Dead End	50	10%	24	30 MPH
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Streets designed to serve business and industrial areas shall have sixty (60) foot width and forty (40) foot paved width.

Street grades shall be not less than 0.5% to assure proper surface runoff.

In establishing the proposed road width, the developer shall also consider the future growth of the surrounding area.

The centerline of the roadway shall coincide with the centerline of the right-of-way unless otherwise requested by the Board.

6.2.7 Cul-de-Sacs / Dead End Streets.

1. Dead end streets shall not exceed seven hundred (700) feet in length or serve more than twenty (20) dwelling units, and shall terminate in a paved turnaround one hundred and twenty (120) feet in diameter. Where a dead end street may be extended in the future, the turnaround, and the full street width, shall extend to the subdivision boundary. Property street line diameter shall be one hundred and forty (140) feet.
2. The developer shall make every effort to avoid the creation of dead end streets.
3. A temporary cul-de-sac shall be allowed only where, in the opinion of the Planning Board, it is essential to the reasonable development of the subdivision and where it is a part of a street or way that eventually will be extended into adjoining property. The design of a temporary turnaround shall be satisfactory to the Planning Board, and clearly shown on the plan as temporary in nature, and such property lines shall be those which would normally have been required or used without the turnaround. There shall be no release of the covenant until the permanent road construction is complete.
4. Regardless of the above, no temporary cul-de-sac shall be allowed if the street length exceeds the limit set in these Rules and Regulations.
5. Temporary dead end or cul-de-sac streets shall conform to the provision of alignment, width, and grade that would be applicable to such streets if extended.
6. Layout of turnaround beyond the normal street right-of-way lines shall be in the form of an easement to the Town of Monson covering said premises included in the turnaround. When the Street is extended into adjoining property, the easement shall become null and void.
7. Cross grades in the Cul-de-Sac shall be 3% + OT – ½% sloping from the radius point of the pavement to the outer diameter of the paved surface.

6.2.8 Adequate Access from Public Ways

1. Where the street system with a subdivision does not connect with or have, in the opinion of the Board, adequate access from a Town, County or State public way, the Board may require, as a condition of approval of a plan, that such adequate access be provided by the sub-divider, and / or that the sub-divider make physical improvement of access to and within such a way, either from the boundary of the subdivision to a Town, County or State public way, or along such public way for a distance which, in the opinion of the Board, is sufficient to provide adequate access to the subdivision
2. Where the physical condition or width of a public way from which a subdivision has its access is considered by the Board to be inadequate to either provide for emergency services or carry the traffic which is expected, in the opinion of the Board, to be generated by such subdivision, the Board may require the sub-divider to dedicate a strip of land for the purpose of widening the abutting public way to a width at least commensurate with that required within the subdivision, and to make physical improvements to and within such public way to the same standards required within the subdivision. Any such dedication of land for the way and any such work performed within such public way shall be made only with permission of the governmental agency having jurisdiction over such way, and all costs of any such widening or construction shall be borne by the sub-divider.
- 3 Access shall be from a way accessed in Monson.

6.2.9 Cross Section

Street construction shall conform to Typical Cross Sections demonstrating good engineering practices. The Typical Cross Section shall include the paved roadway, curbing's, sidewalks, grass strips or utilities.

6.3 Stormwater Drainage

An adequate system of stormwater drainage shall be provided, and no natural watercourse shall be altered or obstructed in such a way as to reduce the natural run-off capacity, unless substitute means of run off are provided. The Board may require culverts and other stormwater drainage installations where it deems necessary to connect with one or more natural watercourses. All necessary easements for drainage shall be provided, whether on or off the site.

6.4 Water Supply

In the case of a subdivision served by a public water supply, all necessary mains, branch offsets, fire hydrants and other necessary appurtenances shall be installed as approved by the Monson Water & Sewer Department.

6.5 Municipal Services

Where, in the judgement of the Planning Board, a subdivision can be connected to an existing public water supply and sewer system, the Board may require the extension of such municipal services to and within the subdivision. Cost of easements and all work related to the subdivision shall be paid by the developer.

6.6 Parks and Open Space

Before approval of a plan, the Board shall in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes, or for providing light and air. Such parks shall be not unreasonable in area in relation to the amount of land being subdivided and the prospective uses of such land. When so determined, said Board shall, by appropriate endorsement on the plan, require that no building may be erected on such park or parks land for three years without approval of the Board.

6.7 Landscaping

Appropriate reseeding and replanting of the non paved areas of street right-of-ways is a component part of the construction of a subdivision, and is to be completed by the sub-divider.

1. Existing vegetation shall be disturbed to a minimum. Except when necessary to conform to road, driveway and drainage standards or to eliminate blind intersections or poor site lines at curves, major earth movements shall be avoided. Drainage ditches wherever possible shall be graded to resemble natural streams.
2. In construction areas of the right-of-way topsoil shall be removed and spread over land exposed during grading operations. Shoulders and graded slopes shall be seeded on completion, planted with shrubs or given similar approved landscape treatment. Excess topsoil may be removed from the site at the completion of the project but only with approval from the Planning Board and verification from the Planning Board Inspector/Agent of the excess material.
3. At entrances to subdivision from major roads and along other portions of the right-of-way, the Board may require the planting of groups of shrubs and trees for aesthetic effect and as an inducement to new homeowners to enhance their property.
4. Diseased and dead trees within street right of ways shall be removed, and healthy existing trees shall be preserved where possible. The sub-divider shall provide either by preserving existing trees or planting new trees, one tree for each fifty (50) feet of street length, not less than eight (8) feet tall and one and one half (1 ½) inches in diameter, on each side of each street, of a species approved by the tree warden and wire using utilities.
5. No tree or shrub branches will be permitted on any street within thirty (30) feet of a corner intersection that will interfere with corner visibility.

7.0 CONSTRUCTION STANDARDS AND REQUIRED IMPROVEMENTS

7.1 Basic Requirements

The sub-divider shall provide all of the improvements required herein and installed at his/her own expense. All work done under this section shall be done under the direction of the Board, including registered engineer (s) and any other consultants appointed by the Board. The sub-divider shall promptly reimburse the Town for the full amount of the cost of such engineer (s) and other consultants.

No road constructed for private use may be presented to the Town for acceptance at any time after the effective date of these Road Specifications unless constructed in accordance with the terms of these Specifications.

In addition to the standards specified in the Commonwealth of Massachusetts Department of Public Works:

1. “Standard Specifications for Highways, Bridges and Waterways” current edition, as amended, (to be referred to hereto as the “Standard Specifications”);
2. “Construction Standards”, current edition, as amended (to be referred to hereto as the “Construction Standards”), the following minimum specifications shall govern the installation of all roadways, utilities and other improvements in the subdivision.

7.2 Submissions

The following drawings and data shall be submitted for approval prior to clearing or grading of any land for or the construction of any roadways, etc.:

1. Accurate layout of existing and proposed streets, easements or rights of way including those for utilities, sewers, drainage either on or off site, with accurate bearings and distances including arc length, radii and central angle of all curves.
2. Accurate location of monuments with accurate references to the Massachusetts coordinate system.
3. The location of all existing and proposed stormwater sewers, catch basins, manholes, bridges and culvers. Pipe sizes and invert elevations of all drainage structures shall be shown together with outfall into existing sewers or natural watercourses.
4. Road profiles, showing accurate existing and finish grades. A typical cross section of the entire right of way and other road construction plans including drainage structures shall also be submitted.
5. Watershed data and calculations for the design of drainage structures.

7.3 Roadway Construction Standards

7.3.1 Subgrade Preparation

1. Within the roadway area including driveway aprons, sidewalks, and grass strips, all loam, organic material, clay and soft material shall be stripped from the line of the streets for the full length and width, to a minimum of four (4) feet excavation depth, unless data is shown to indicate current foundation is sufficient.
2. When fill is placed, it shall be placed and compacted in layers not deeper than twelve (12) inches loose, except the last layer which shall not exceed four (4) inches in depth.
3. The fill shall be ordinary borrow specified and placed as in the relevant provision of Section 150 of the Mass Highway Standard Specifications.
4. The subgrade shall be shaped and finish graded at the required depth below and parallel to the proposed pavement surface, in conformance with the Typical Street-Cross Section.
5. Upon completion of the subgrade preparation, an inspection by an engineer so appointed by the Town shall be required and in no case shall the gravel base begin until the subgrade preparation has been approved as described in Section 7.10 and the Subdivision Inspection Checklist (Form I hereto appended).

7.3.2 Gravel Base

1. The gravel base shall be gravel borrow meeting M1. 03.0 Type A specifications, except that the top four (4) inches shall be gravel borrow meeting M1.03.1 specifications.
2. When spreading the gravel, care should be taken to rake forward and distribute the largest stones so they will be at the bottom of the gravel base course and evenly distributed.
3. The gravel borrow shall be laid to a depth indicated in Table 2.
4. All gravel base material shall be thoroughly compacted.
5. The gravel base surface shall be shaped and finish graded at the required depth below and parallel to the proposed pavement surface, in conformance with the Typical Street Cross Section.
6. After completion of the gravel base, an inspection by an engineer so appointed by the Town shall be required and in no case shall surfacing of the roadway begin until the

gravel base has been approved as described in Section 7.10 and the Subdivision Inspection Checklist (Form I appended hereto.)

7.3.3 Surfacing of the Roadway

The roadway and driveway aprons shall be paved the entire width, including under the berms, and the surface treatment shall be compacted bituminous concrete placed in two (2) layers.

No paving shall be applied to frozen gravel base, nor shall any pavement be applied when the local air temperature is less than 32°F., or when any form of atmospheric precipitation is occurring.

All bituminous concrete shall be spread by an approved mechanical spreader in a uniformly loose layer to the full width required and to such thickness that each course when compacted shall have the required thickness and shall conform to grade and the Typical Street Cross Section.

1. Pavement Binder Course - The first layer or binder course shall be asphalt concrete, in accordance with Section 420, Class I Bituminous Concrete Pavement Type I-1 (Binder Course Mix). It shall be laid to a depth indicated in Figure 1 and Table 2.

The binder course shall be allowed to set after application for one full winter until the following spring thaw is complete and all the frost in the roadway areas has melted and drained off. At that time the owner shall request an inspection by an engineer so appointed by the Town and in no case shall the wearing course be applied until the binder course has been inspected and approved as described in Section 7.10 and the Subdivision Inspection Checklist (Form K hereto appended).

2. Pavement Wearing Course - The second layer or wearing course shall be placed no sooner than the binder course. The wearing course shall be Class I Bituminous Concrete Pavement Type I – 1 (Top Course Mix), in accordance with Section 460 of the Standard Specifications. It shall be laid to a depth indicated in Figure 1 and Table 2.

The wearing course shall be rolled to a smooth surface showing no ridges or depressions from the roller, preserving the proper crown.

Finished roadway and driveway apron surfaces less than the required thickness or containing any soft or imperfect places will not be approved.

All roadways shall be brought up to the finish grade as shown on the Definitive Plan, and all manhole covers, grate boxes, gas drips and other access to underground utilities shall be set flush with the surface of the road, grass strip or sidewalk.

Inspection of the binder course by an engineer appointed by the Town before laying the wearer course is required. A leveling course shall be laid as directed by the engineer before laying the wearer course.

Table 2 Required Depth of Pavement Section

Pavement	Sections	Support
Wearing	Course	1 ½ “
Binder	Course	2 ½ “
Gravel	Base	18 “

7.3.4 Shoulders

Shoulders shall not be allowed in place of sidewalks, curbs and grass strips, unless permission is specifically granted by the Planning Board.

7.3.5 Curbs/Berms

1. Curbs/berms shall be constructed of bituminous concrete in accordance with applicable Plates, available upon request. Curbs shall be place by an approved bituminous concrete curb machine true to line and grade indicated on the Plan – Profile drawings. Immediately prior to placement of the curb, the surface of the road receiving the curb shall be coated with approved bitumen.
2. All curbs/berms shall be bituminous concrete curb type A (Cape Cod standard specifications provisions on 501) and curb height shall be a minimum of six (6) inches above the finished wearing course.
3. Curbs shall be installed on both sides of all roads where road grade exceeds 3%.
4. Under special conditions, especially constructed berms or gutters may be required by the Planning Board.

7.3.6 Sidewalks

Sidewalks shall be required. Sidewalks may be placed on one or both sides of the street at a width determined by the Planning Board. All sidewalks shall conform to the material and construction methods as specified in Section 701 of the Mass Highway Standard Specifications. Sidewalks shall be five (5) feet width with a three (3) foot grass strip.

7.3.7 Grass Strips

1. Grass strips shall be provided on each side of the roadway, between the curb and the sidewalk.
2. The finished grade of such grass strips shall have a slope of one half (½) inch per foot.
3. The top six (6) inches of grass strip shall consist of good quality loam extending to the right of way, screened, raked, and rolled with at least a 100 pound roller to grade. The loam shall be seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist. Loaming and seeding shall be in accordance with Sections 751 and 765 of the Mass Highway Standard Specifications.
4. The minimum width of any grass strip shall be seven (7) feet.

7.3.8 Street Signs and Street Lights

Street signs bearing approved street names shall be provided and installed by the developer or contractor at his expense at all street intersections, and they shall conform to Town standards.

Street lighting shall be required on one side of the street.

7.3.9 Guard Rails

Guard rails shall be installed as required by site conditions or by the Board, based on State Construction Standards or the publications of the American Association of State Highway and Transportation Officials (AASHTO). Guard rails shall be SS beam, installed according to standard specifications.

7.3.10 Slopes

Slopes shall be loamed, rolled, fertilized and seeded with a good grass seed. Developers shall provide specifications for seeding.

7.4 Drainage and Drainage Structures

7.4.1 Responsibility

The responsibility for adequate drainage shall rest with the developer. This shall include the risk involved in connecting with existing drainage facilities (if any) provided by the Town.

Where property adjacent to the subdivision, but within the same watershed, is not subdivided, provision shall be made for property projection of the drainage systems by continuing appropriate drains and easements to the exterior boundaries of the subdivision at such size and grade as will allow for such projection. Drainage rights which are appropriate, sufficient, and

necessary to handle drainage from the subdivision and adjacent areas shall be secured for the Town.

7.4.2 Groundwater Drainage

As construction progresses, unforeseen groundwater conditions may be encountered which require additional sub-drains or curtain drains. These conditions include potential problems if construction is in progress at a time of low water table or other dry conditions. The Board reserves the right to require appropriate systems to accommodate the problem.

7.4.3 Drainage and Drainage Structures

1. All roads shall be properly drained and sufficient culverts, manholes and catch basins installed as approved by the Board. No portion of any road shall drain in one direction more than three hundred and fifty (350) feet without catch basins on both sides of the road. Culverts shall be sized based upon the following design standards:
 - a) Culverts to be installed to carry runoff from existing streams shall be designed to satisfy requirements of a hundred (100) year storm.
 - b) Proposed culverts and ditches to be installed for street drainage shall be designed to satisfy requirements of a twenty five (25) year storm.
2. All drainage pipes shall be at least fifteen (15) inches in diameter and installed with a minimum cover of four (4) feet, and shall be pitched not less than .005 feet per one (1) foot; for shallow slopes, a cleansing velocity must be maintained. All drainage structures shall be indicated as to size and location on plan profile sheets. In addition, drawings and calculations showing size of watershed area and quantity of water drained by each culvert that either crosses, or is a part of, the roadway drainage system or subdivision drainage system shall be submitted. Drainage rights of way through lots shall be at least twenty (20) feet wide.
3. Class A concrete or stone masonry headwalls shall be located at culvert ends and constructed in accordance with applicable Plates available upon request.

7.4.4 Catch Basins and Manholes

1. General - Adequate disposal of surface water shall be provided for in a manner satisfactory to the Planning Board, and shall address runoff from the proposed subdivision. Such system may include a system of storm drains, culverts, ditches, under drains, detention basins, drywells, and related installations, including catch basins, gutters and manholes, and shall be designed and installed to provide adequate disposal of surface water, including control of erosion, flooding, stormwater management and standing water from or in the subdivision and adjacent lands. A catch basin to manhole system of drainage is required.

2. Piped System

- a) The construction of the drainage system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan and Section 200 of the Mass Highway Standard Specifications.
- b) Drainage pipe within the roadway shall be reinforced concrete, or ACCM Pipe with appropriate joints, and have a minimum diameter of fifteen (15) inches.
- c) Stormwater shall not be permitted to cross any roadway upon the surface but must be piped underground. Stormwater runoff shall not be permitted to flow upon the road surface for a longer distance than four hundred (400) feet before it enters the underground system or is diverted off the roadway to ditches and swales. Catch basins shall be located on both sides of the roadway on continuous grades at intervals of not more than four hundred (400) feet, at all sags in the roadway, and near the corners of the roadway at intersecting streets, to prevent surface water from crossing the intersection.
- d) Proper connections may be made with any existing public drainage system within four hundred (400) feet of the subdivision, if that system has the capacity to absorb the flows from the project areas, and approval is given by the Town of Monson's Board of Selectmen.
- e) No open water body or pond shall be filled in, and no wet or swampy areas shall be filled in unless approval has been obtained in accordance with M.G.L. Chapter 131.
- f) Where open stream channels exist within a subdivision, adequate provision shall be made for properly maintaining them or for properly enclosing them, if absolutely necessary. It is the Town's intent to preserve and maintain the natural features of such streams and any development should be planned accordingly.
- g) Drainage pipe shall be bedded in compacted screened gravel to a depth of six (6) inches below the bottom of the pipe in earth and twelve (12) inches in rock. Gravel bedding shall be carried to the spring line of the pipe. Selected material containing no large boulders shall then be hand placed to an elevation of one (1) foot above the top of the pipe and compacted. Mechanical equipment may be used to backfill the trench above this point.
- h) Manholes and catch basins shall be precast, cast in place, block and a typical detail of such noting materials, dimensions, and construction details shall be submitted for approval.

- i) Drain manholes shall be located at every change in grade or direction of the drainage line, at catch basin connections, and shall not exceed four hundred (400) feet apart in a continuous system.
- j) Iron casting for manhole frames and covers and catch basin frames and grates shall be extra heavy in accordance with Massachusetts Department of Public Works Standards.
 - 1. Manhole cover shall have three (3) inch lettering to read “DRAIN”
 - 2. Catch basin grates shall be Type A-1 or A-3.
- k) If subdrainage is required, perforated cement, or ACCM pipe shall be used in bedding of three quarter ($\frac{3}{4}$) inch to one and one quarter ($1\frac{1}{4}$) inch washed stone.

7.4.5 Culverts and Under Drain Pipe

7.4.5.1 General

In order to replicate the flood control value of undisturbed lands, provide compensatory storage of storm water runoff, and comply with the Town of Monson’s Zoning Bylaws, the Town of Monson may allow the construction of stormwater detention basins provided that:

- 1. The design and construction is in compliance with M.G.L. Ch. 131 § 40.
- 2. The design and construction does not conflict with the Town Bylaws or the Zoning Bylaws of the Town of Monson.
- 3. The design and construction do not conflict with any other laws, rules and regulations, or standards of any government agency which may have jurisdiction in such matters.
- 4. The design includes a positive flow outlet from the basin.
- 5. The location is not in an area such that the sudden release of water, due to failure, would result in loss of life, injury to persons, damage to residences or buildings or cause interruptions of use or service of public utilities.
- 6. The design and construction meet the specifications as noted in the Standard Specifications.

7.4.5.2 Contents

The following information shall be required to be submitted as part of the Definitive Plan.

1. Name and addresses of all abutters to the drainage easement for the basin as they appear in the most recent tax list.
2. Water courses, ponds, marshes, flood plains, rock outcrop, and other significant natural features within one hundred (100) feet of the proposed high water mark (as determined by the one hundred (100) year storm frequency).
3. A drainage area map outlining the watershed area; the map shall show the watershed boundary; the drainage pattern; location of bridges; culverts and other structures that affect the flow of water; location of roads, buildings, property lines and fences or walls; and a north arrow.
4. A minimum two (2) foot contour interval plan with spot grades shown as needed or required to describe the basin and adjacent area; this plan shall be accompanied by a profile of the basin including the principal and emergency spillway and/or outlet with all appropriate inlet and outlet elevations.
5. Drainage calculations for proposed and existing conditions, done for a minimum twenty five (25) year and one hundred (100) year storms. Critical volume calculations should be checked by an independent alternate method using both short duration/high intensity and long duration storms.
6. Soil logs, test pits and percolation test within the basin area to determine existing conditions of the underlying soil and groundwater; this information shall be shown on a plan, and described in a report certified by a Registered Professional Engineer and carry his/her official seal. Groundwater level tests will be considered valid only if they are done between March 1st and May 31st.
7. Detailed drawings of all structures including culverts, trash racks, anti-seep collars, risers, fencing and all other appurtenant works.
8. Stabilization specifications including seeding, mulching, and rip-rapping.
9. Construction notes required to assist in layout, construction, and checking of the completed facility.
10. All drainage design information, drawings and runoff calculations must be prepared, signed, dated, and stamped by a Massachusetts Registered Professional Engineer using standard acceptable engineering methods. The runoff calculations should be based on soil conditions expected to prevail during the anticipated effective life of the structure.

A one hundred (100) year design frequency storm is required for all stormwater detention basins.

7.4.5.3 Design Standards

Storage Capacity

The capacity of a basin shall be defined as the volume at the elevation of the crest of the spillway which is available for the storage of water during the planned useful life of the structure.

Shape

1. The basin shape shall follow existing contours as closely as possible.
2. The bottom of the basin shall pitch a minimum of one quarter ($\frac{1}{4}$) inch per foot toward the outlet.
3. The slope from the design high water level to the basin bottom shall not be steeper than a ratio of 3:1. The approach area to the design high water level shall not exceed a slope of 5:1 for a distance of twenty five (25) feet from the high water level.
4. All side slopes shall be properly seeded. If the side slopes exhibit seepage or movement during construction, then rip-rap stabilization shall be required.
5. The recommended maximum depth is between two and a half ($2\frac{1}{2}$) and five (5) feet. However, deeper basins may be considered.
6. The basin bottom elevations shall be at least two (2) feet above the observed seasonal high groundwater elevation.
7. A fifteen (15) foot wide gravel surface access roadway with a grade no greater than ten (10) percent shall be constructed as an access way for the Town of Monson.

Appurtenances

Swales

1. A paved or rip-rap swale may be required from the outlet pipe to the inlet pipe.

Inlet and Outlet Structures

1. The inlet pipe shall be sufficiently stabilized and rip-rapped at its outlet per accepted engineering methods.
2. If the inlet of the outlet pipe is designed with an anti-debris device, then it is recommended that only the lower half of the pipe is fitted with such a device.
3. An emergency overflow shall be provided in case of unexpected circumstances. (Note: Retention of stormwater runoff is not allowed).

Easements

1. Twenty five (25) foot wide drainage easements shall be provided for all drainage lines discharging stormwater into and carrying stormwater away from the basin.
2. A twenty five (25) foot wide easement shall be provided around the perimeter of the of the high water mark of the basin.
3. Twenty (20) foot access easements shall be provided for vehicle access to the basin. Said easements shall be located in an area which does not exceed a grade of ten (10%) percent on the approach to the basin, nor exceed a cross grade of three (3%) percent.

Landscaping

1. The side slopes (as required in the Standard Specifications), earthen dams, twenty five (25) foot wide easement around the entire basin perimeter, and other disturbed areas shall be loamed and seeded. Seed shall be a “conservation mix” or similar mixture which is compatible with the soil and moisture conditions. The area should require minimal maintenance and be kept in a meadow like condition.
2. All the areas shall be hydro-seeded to minimize erosion and promote fast growth.

Fencing

1. Fencing may be required by the Planning Board for all detention basins exceeding two and one half (2½) feet maximum depth.
2. Specifications shall be as follows:
 - a) Materials: zinc coated steel, two (2) inch mesh, nine (9) gauge.
 - b) Gates: twelve (12) foot minimum in width and placed in two separate locations as specified by the Planning Board.
 - c) Height: six (6) foot minimum.
 - d) Post Set: Ten (10) foot centers in concrete.

Signs

1. At least one sign shall be installed warning the public of hazards of flood water. No individual sign shall exceed six (6) square feet.

Maintenance

1. A maintenance reserve fund shall be established by the sub-divider for unexpected repairs and/or long term capital costs associated with the detention basin.
2. The maintenance reserve fund shall be set up as an interest bearing account in a local bank under the name of “Town of Monson” (name of the subdivision) Stormwater Detention Basin Maintenance Account.
3. The Town Engineer shall recommend to the Planning Board the amount required to establish the maintenance account.
4. The maintenance account shall be established and the deposit book turned over to the Town Treasurer before endorsement of the Planning Board’s approval of the Definitive Plan.

Ownership

1. Ownership of the detention basin shall remain with the owner of the lot (s) on which the basin is located.
2. The Town of Monson shall have the right to enter and re-enter the detention basin area for purposes of maintenance.

Construction

1. The detention basin is to be constructed prior to the initiation of the construction of the roadway.
2. Such basin shall function as a sediment basin during initial construction of the roadway.
3. All silt must be removed from the basin and disposed of properly prior to the accepting of the road and associated easements by the Town.
4. The sign as required in the Standard Specifications shall be created during the initiation of construction and utilization of the basin as a sediment basin.

7.5 Monuments

1. Monuments shall be placed at points of curvature and tangency and angle points.
2. Monuments shall be of stone or reinforced concrete, not less than four (4) inches square and thirty (30) inches long, with a brass or copper plug, drill hole or cross marking and be set flush with finished grades.

3. All monuments shall be set by a Registered Surveyor and installed by the developer or contractor at his expense.

7.6 Utilities other than Drainage Structures

7.6.1 General Standards

The installation of utilities and underground structures shall conform to the following general standards:

1. All public and private sewers, surface water drains, water and gas pipes, electric, telephone and Cable TV lines, together with their appropriate underground structures, within the street right of way, shall be placed underground at the discretion of the Board
2. Underground utilities shall be installed after the street has been excavated to subgrade.
3. The location of the utilities shall conform to the Definitive Plan and the Typical Street Cross Section.
4. Material used surrounding and supporting pipes and conduits in the utility trenches shall be screened gravel compacted at least six (6) inches in diameter around pipes, unless the trenches are in ledge, or other unsuitable material which requires twelve (12) inches of the compacted, screened gravel.
5. Gravity sewer lines shall be true to line and grade with no horizontal or vertical curvature permitted.
6. No footing drains, roof drains or storm water drains shall be connected to the sanitary sewer system.
7. All underground utilities shall be properly inspected, tested and approval given by respective utility representative and Planning Board representative before the back filling of trenches and placement of gravel base courses and pavement.
8. The water and sanitary sewer systems shall be tested and approved prior to installation of base course (s) and pavement.
9. All lot connections shall be installed to the right of way line, and marked or surveyed as to be easily located in the future.

7.6.2 Sanitary Sewer System

1. Wherever, in the opinion of the Planning Board, the public sewerage system is reasonably accessible and where connection to it is feasible, the applicant shall properly

connect all lots in the subdivision to the public sewerage system. Said sewage system collectors shall be located on south and west roadways.

2. The methods of construction and type of materials used shall conform to the Massachusetts Department of Public Works Standards and Specifications, or the Town of Monson Water and Sewer Commission Standards and Specifications, where applicable.
3. A sewer extension permit application shall be filed by the applicant.

7.6.3 Water

1. Water mains, whether those of a public utility or a private or a community water supply system, shall be laid along the north and east side of the roadway and be in accordance with specifications of the local Water Commission. In no case shall pavement of a roadway be begun until all water mains and laterals are completed under affected portion of the roadway.
2. Where available and feasible, all lots in a subdivision shall connect to the appropriate water service system.
3. All water mains, fittings, gates and hydrants shall be installed in conformity with the specifications of the Water Commission and in accordance with the Definitive Plan as approved by the Planning Board.
4. Where connection to a water district system is infeasible, the applicant shall make provisions to serve every lot with an adequate supply of potable water approved by the Board of Health.
5. A laboratory test of the water quality shall be required and submitted to the Board of Health for all private, on site systems.

7.6.4 Gas

Gas mains shall be laid along the south and west edges of the roadway and be in accordance with specifications of the local Gas Company. In no case shall any pavement of roadway be begun until all gas mains and laterals are completed under affected portion of the roadway.

7.6.5 Electrical, Telephone and Other Wires

All electrical, telephone, fire alarm, cable TV and other wires and cables shall be installed underground, unless in the opinion of the Planning Board and the appropriate utility company, such installation is impractical or not in the best interest of the Town.

7.7 Retaining Wall

Retaining walls shall be installed where deemed necessary by the Board and they shall be designed by a Registered Engineer.

7.8 Final Cleaning

Upon suspension or completion of the work or any portion thereof, the developer or contractor shall remove from all public or private property all temporary structures, tools and equipment, rubbish or waste materials resulting from his operations. All ditches shall be filled, all sewers, drains, catch basins and manholes cleaned and flushed, streets, walks, curbs and other structures cleaned and repaired and the whole work left in a neat and clean condition.

7.9 Trees and Plantings

7.9.1 Existing Trees

Trees on the site, especially those over twelve (12) inches in diameter should be preserved. Following is a list of recommended measures for the protection of trees:

1. There should be no operation of heavy equipment or storage of any materials under said tree within its natural drip line.
2. No grading or filling should be done within the drip line.
3. Supplemental irrigation should be provided to all trees as needed during the summer months to insure healthy maintenance.
4. No black top paving or vehicle parking shall be located under evergreen trees. No more than twenty (20%) percent of the area under any deciduous tree's natural drip line may be so paved.
5. All drainage from paved areas should be directed away from root zones.

7.9.2 Street Trees

1. The sub-divider is required to plan suitable broadleaved deciduous shade trees along roads, or ways, unless specifically exempted by the Board. All trees shall be the equivalent of well rooted nursery grown stock free of injury, harmful insects, and diseases. They shall be well branched, and the branching structure should be sound.
2. Acceptable types of street trees may be selected from a list appended to these regulations, which includes large growing, medium growing, and small growing deciduous trees.
3. Large growing trees shall be spaced at intervals of forty five (45) to fifty five (55) feet, medium growing trees at intervals of thirty (30) to forty (40) feet, and small growing trees at intervals of twenty (20) to thirty (30) feet. Trees on one side of the street may be set either opposite or diagonally to trees on the opposite side. If overhead wires are

present, large or medium growing trees to be planted along the same side as such wires should be planted within the set back area of the property rather than adjacent to the paved way. Small growing trees with low branching characteristics should be planted within the front yard setback area in all cases.

4. Minimum acceptable sizes of trees to be planted shall be as follows:
 - a) Large growing - two and a half (2½) inch trunk diameter, caliper at one (1) foot above the ground.
 - b) Medium growing – two and a half (2½) inch trunk diameter, caliper at one (1) foot above the ground.
 - c) Small growing - nine (9) feet crown height, five (5) feet spread.
5. Planting operations shall be as specified in Section 8, Subsections A, C, E, and F of the Recommended Standard Specifications for Planting Trees, Shrubs, and Vines, Associated Landscape Contractors of Massachusetts.
6. Requirements for support stakes, guy wire and cable, ground anchors, horse, and wrapping material shall be those contained in Section 6 of the Recommended Standard Specifications for Planting trees, shrubs, and vines, compiled and issued by the Associated Landscape Contractors of Massachusetts, Inc.
7. The sub-divider shall be responsible for maintenance of planted trees and replacement of those which have died or become diseased from the time of planting through one full growing season.

7.9.3 Bank Plantings

1. All cut or fill bankings that tend to wash or erode shall be planted with suitable, well rooted, and low growing plantings. All plants shall be the equivalent of nursery grown stock in good health, free from injury, harmful insects, and diseases.
2. Suitable planting types shall be submitted to the Planning Board for approval. Such plantings shall include very low growing (4 inch to 12 inch), low growing (12 inch to 30 inch), and herbaceous plantings. Perennial grass turf installed as sod is an acceptable alternative for the planting of banks.
3. If bank plantings are of a type that are properly spaced at close intervals, eight (8) inches to twelve (12) inches of loam shall be spread over the entire bank. If the plantings are to be widely spaced they may be planted in loam pits.
4. Mulch (wood chips or equal) shall be spread heavily among plantings for weed and erosion control.

5. The sub-divider shall be responsible for maintenance of bank plantings and replacement of those which have died or become diseased from the time of planting through on full growing season.

7.9. 4 Corner Plantings

Requirements for plantings adjacent to street intersections shall be the same as those for Bank Plantings with the following exceptions:

1. Turf may be provided by seeding as well as by planting sod.
2. Bushy shrubs and herbaceous plantings that would tend to obscure visibility are not permitted within thirty (30) foot of the intersection of the curbs adjacent to the corner lot.

7.9.5 Cul de Sac Plantings

Unless called for by the Planning Board, there shall be no Cul de Sac plantings.

7.10 Inspections of Improvements

Inspections during the work shall be arranged with the subdivision inspector appointed by the Town of Monson prior to starting construction, who will provide the sub-divider with a checklist covering these inspections. The Board's engineer will sign this checklist after satisfactory completion of each step by the developer. Inspections shall be requested at least forty eight (48) hours in advance of each inspection by notice to the Town's Inspector. Inspections shall be made after each step indicated above.

All documentation of material types for roadway construction and all weight slips for bituminous material shall be furnished to the Town's Inspector on request (see Form K "Subdivision Inspection Checklist" appended hereto).

8.0 DEVELOPMENT IMPACT STATEMENT

A Development Impact Statement (DIS) is a documented, written analysis of a proposed development which provides the Planning Board and Town officials with information necessary for plan review.

It is a developer's responsibility to prepare and document the DIS in sufficient detail to permit an adequate evaluation by the Planning Board. This is one reason why it is to the advantage of the developer to prepare and submit to the Board a Preliminary Plan including a draft DIS. It is necessary to respond to all sections of the DIS form, except when a written exemption is granted by the Planning Board.

The development impact statement shall identify:

NAME OF THE PROJECT:

ACREAGE:

TYPE OF PROJECT:
LOCATION:
PARCEL NUMBER (S)
ZONING DISTRICT (S)

OWNER (S):
PLANNER:
ENGINEER:
ARCHITECT:

8.1 Project Description

1. Number of Units: Total of Low Income; Single Family; Two Family; Multi Family; Other.
2. Type of Ownership (list number of units for each): Condominium; Rental; Private.
3. Number of Bedrooms: Two Family; Multi Family; Other.
4. Approximate Price per Lot/Unit: Private; Condominium; Rental.

8.2 Circulation System

8.2.1 Street Design

Explain reasons for locations of streets, stubs and intersections.

8.2.2 Street Classification and Traffic

Classify the streets and stubs within the development according to the street classification set forth in Section 6.2 of these regulations; project the number of motor vehicles to enter or depart the site per average day and peak hour, using “Trip Generation Standards” by Institute of Transportation Engineers.

8.2.3 Parking

Discuss the number, opportunities for multiple use and screening of parking spaces.

8.3 Municipal Services

8.3.1 Municipal Water and Sewer

Project the generation of sewage based on standards in 314-CMR by the Massachusetts Department of Environmental Protection; project the consumption of water based on standards established by DEP.

8.3.2 Private Water Supply

Discuss the types of wells proposed for the project, means for providing fire supply, and any special problems which might arise.

8.3.3 Private Sewage Disposal

Discuss the types of system, level of treatment, suitability of soils and results of percolation tests, deep observation holes and test borings. Identify groundwater flow fields in the area of the proposed subdivision, establish the capability of the soil to renovate sewage effluent, and determine the dilution effects on the effluent through recharge (mainly precipitation) and dispersion.

8.3.4 Storm Drainage

Discuss the storm drainage system including the projected flow from a fifty (50) year storm, name of the receptor stream, and any flow constrictions between the site and the receptor stream.

8.3.5 Fire Protection

Discuss the type and capability of fuel storage facilities, location of storage areas for hazardous substances, special requirements and distance to fire station.

8.3.6 Recreation

Indicate the distance to, and type of, any public facilities. Discuss the type of private recreation facilities to be provided with the development.

8.3.7 Schools

Project the student population of the project for the K – 6, 7th, 8th and 9th – 12th levels and indicate the distance, capacity, and present enrollment of the nearest elementary and secondary schools. Describe the basis or methodology for all projections of student population.

8.4 Natural Conditions

Describe the following elements of natural conditions, identifying short term (those occurring primarily during project construction) and long term (those remaining after the completion of project construction) impacts on each:

8.4.1 Topography

Indicate datum, source, date, slopes greater than fifteen (15%) percent; provide contours at two (2) foot intervals, with graphic drainage analysis showing annual high water mark; show location of existing structures, including fences and walls.

8.4.2 Soils

Indicate soils and land types, utilizing all government soil surveys covering the project areas, including but not limited to prime agricultural land, depth to bedrock, and extent of land which has been filled.

8.4.3 Mineral Resources

Indicate extent and economic importance of mineral resources, extent and means of proposed extraction, and rehabilitation measures.

8.4.4 Depth to Water Table (Groundwater Level)

Show location and provide test results of soil percolation or other subsurface tests for each lot in a proposed subdivision.

8.4.5 Aquifer Recharge Areas

8.4.6 Wetlands

8.4.7 Water Courses

8.4.8 One Hundred Year Floodplains

8.4.9 Vegetative Cover

Provide an analysis of vegetative cover, including identification of general cover type (including but not limited to wooded, open areas, cropland, wetlands, etc.)

8.5 Design Factors

Describe briefly the following features. Photographs are helpful.

1. Present visual quality of the areas.
2. Location of significant viewpoints.
3. Historic structures.
4. Architecturally significant structures.
5. Type of architecture for development.

8.6 Environmental Impact

This section shall deal separately with both short term and long term impacts. A narrative statement shall be submitted, documenting all mitigative measures taken to:

1. Prevent surface water contamination, changes in surface water level or both.
2. Prevent groundwater contamination, changes in groundwater level or both.
3. Maintain slope stability.
4. Prevent erosion, sedimentation, or other instability in soils or vegetative cover.
5. Reduce noise level.
6. Preserve significant views.
7. Ensure compatibility with surrounding land use.
8. Protect wetlands and floodplains, and ensure compliance with the Wetlands Protection Act (M.G.L. Chapter 131 § 40 and § 40A).

8.7 Phasing

If the development of the site will take place over more than one year, supply a schedule showing how the development will be phased. A flow chart is helpful. This time table shall include the following elements:

1. Stripping or clearing of site, or both.
2. Rough grading and construction.
3. Construction of grade stabilization and sedimentation control structures.
4. Final grading and vegetative establishment.
5. Landscaping.
6. The construction of any public improvements shall be specified explaining how these improvements are to be integrated with the development.
7. Suitable construction schedule providing number of units planned for completion each year of project.

APPENDIX 1

FORMS

- A Title Block for all Drawings
- B Application for Endorsement of Plan believed Not to Require Approval
- C Application for Approval of Preliminary Plan
- D Application for Approval of Definitive Plan
- E Covenant
- F Certificate of Performance
- G Performance Bond (Secured by Bank Book)
- H Plan Distribution Check List
- I Inspection Check List
- J Certified List of Abutters
- K Notice of Public Hearing

PLATES

- 1. Endwalls
- 2. Catch Basin
- 3. Manhole
- 4. Underdrain and Curbs

FORM A

Approved	Monson Planning Board	Application Filed
Date		Preliminary Plan Filed
By		Definitive Plan Filed
Notes		Road Profile Plan Filed
		Approved by Board of Health
		Plan Approved
		Bond or Covenant Filed
		Fee Attached Yes No

Approval Block Required - Lower Right Hand Corner

FORM B
APPLICATION FOR ENDORSEMENT
OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

File a completed form with each copy of the plan

Monson, Massachusetts

date

To the Planning Board:

The undersigned believing that the accompanying plan of property in the Town of Monson does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant _____
Address _____
2. Name of Engineer or Surveyor _____
Address _____
3. Deed of Property recorded in _____ Registry,
Book _____ Page _____
4. Location and Description of Property

Signature of Owner(s) _____

Address _____

FORM C

APPLICATION FOR APPROVAL OF PRELIMINARY SUBDIVISION PLAN

File a completed form with each copy of the plan

Monson, Massachusetts

date

To the Planning Board:

The undersigned herewith submits the accompanying Preliminary Plan of property located in the Town of Monson for approval as a subdivision as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Monson.

1. Name of Sub-divider_____

Address_____

2. Name of Engineer or Surveyor_____

Address_____

3. Deed of Property recorded in_____Registry

Book_____Page_____

4. Location and Description of Property

Signature of Owner(s)_____

Address_____

A list of the names and addresses of the abutters of this subdivision is attached.
Verification will be made by the Planning Board.

FORM C

FOR PLANNING BOARD USE ONLY

1. Application, 10 prints, 10 copies of draft development impact statement,
filing fee, and reproducible (mylar) received _____ (date)
2. Acknowledgement of receipt by Town Clerk _____ (date)
3. Reviews made by Town Officials, Departments or Consultants
Board of Health _____ (date)
Highway Department _____ (date)
Water & Sewer Department _____ (date)
Fire Department _____ (date)
Police Department _____ (date)
Conservation Commission _____ (date)
Engineering Consultant _____ (date)
Other _____ (date)
- 4 Planning Board action (see meeting minutes) _____ (date)
Approved _____ Modified and approved _____ Disapproved _____
- 5 Reproducible returned to applicant _____ (date)

FOR BOARD OF HEALTH USE ONLY

Application, print, and development impact statement received _____ (date)

Board of Health action _____ (date)

Approved _____ Modified and approved _____ Disapproved _____

Action and comments relayed to Planning Board _____ (date)

FORM D

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File a completed form with each copy of the plan

Monson, Massachusetts

date

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Monson for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Monson.

1. Name of Subdivider _____
Address _____
2. Name of Engineer or Surveyor _____
Address _____
3. Deed of Property recorded in _____ Registry,
Book _____ Page _____
4. Location and description of property:

Signature of Owner(s) _____

Address _____

A list of names and addresses of the abutters of this subdivision is attached.
Verification will be made by the Planning Board.

FORM D

FOR PLANNING BOARD USE ONLY

1. Application – 10 prints, 1 original, 1 set of acetate overlays, filing fee and
10 copies of Development Impact Statement

Received _____ (date)

2. Reviews made by Town Officials, Departments or Consultants;

Board of Health _____ (date)
Highway Department _____ (date)
Water & Sewer Department _____ (date)
Fire Department _____ (date)
Police Department _____ (date)
Conservation Commission _____ (date)
Engineering Consultant _____ (date)
Other _____ (date)

3. Notice of Public Hearing executed by Planning Board _____ (date)

4. Public Hearing held _____ (date)

5. Certified List of Abutters by Town Assessor _____ (date)
Abutters notified _____ (date)

- 6 Performance guarantee supplied
Form E submitted, or
Form G submitted _____ (date)

7. Planning Board action (see meeting minutes) _____ (date)

Approved _____ Modified and approved _____ Disapproved _____

8. Original returned to applicant _____ (date)

FORM E
COVENANT

The undersigned _____
_____ of _____

County, Massachusetts, hereinafter called the "Covenanter", having submitted to the
Monson Planning Board, a definitive plan of a subdivision, entitled _____

Dated _____ made by _____

Does hereby covenant and agree with said Planning Board and the successors in office of
said Board, pursuant to M.G.L. Chapter 41, Section 81U, as amended that:

1. The covenantor is the owner of record of the premises shown on said plan.
2. This covenant shall run with the land and be binding upon the executors,
administrators, heirs, assigns or the covenantor, and their successors in title to the
premises shown on said plan.
3. The construction of ways and the installation of municipal services shall be
provided to serve any lot in accordance with the applicable Rules and Regulations
of said Board before such lot may be built upon or conveyed, other than by
mortgage deed; provided that a mortgagee who acquires title to the mortgaged
premises by foreclosure or otherwise and any succeeding owner of the mortgaged
premises or part thereof may sell any such lot, subject only to that portion of this
Covenant which provides that no lot so sold shall be built upon until such ways
and services have been provided to serve such lot.
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant
by a single deed of the entire parcel of land shown on the subdivision plan or of
all lots not previously released by the Planning Board without first providing such
ways and services.
5. This covenant shall take effect upon the approval of said plan.
6. Reference to this covenant shall be entered upon said plan and this covenant shall
be recorded when said plan is recorded.

FORM E

The Undersigned_____

Wife, husband, of the covenantor hereby agree that such interest as I, we, may have in
said premises shall be subject to the provisions of this covenant and insofar as is
necessary release all rights of tenancy by the courtesy, dower, homestead and other
interest therein.

Executed as a sealed instrument this_____ day of_____

COMMONWEALTH OF MASSACHUSETTS

_____ ss. _____ 20__

Then personally appeared_____

And acknowledged the foregoing instrument to be_____ free act and deed,
before me

Notary Public

My Commission expires_____

FORM F
CERTIFICATE OF PERFORMANCE
(Covenant Approval Release)

Monson, Massachusetts

_____ 20__

The undersigned, being a majority of the Planning Board of the Town of Monson, Massachusetts, hereby certify that the requirements of work on the ground called for by the Covenant dated _____, 20__, and recorded in _____
_____ Land Registry District as Document No: _____, and
noted on Certificate of Title No: _____, in Registration Book _____,
Page _____ have been completed to the satisfaction of the Planning Board as to
the following enumerated lots on Plan entitled _____
recorded with said Deeds, Plan Book _____, Plan _____, (or registered
in said Land Registry, Plan Book _____, Plan _____, and said lots
are hereby released from the restrictions as to sale and building specified thereon.

Lots Designated on said Plan as follows:

Majority of the Planning Board

FORM F

COMMONWEALTH OF MASSACHUSETTS

_____ ss. _____ 20__

Then personally appeared _____ one of the above named members of the Planning Board of the Town of Monson, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

Notary Public

My Commission expires _____

FORM G

PERFORMANCE BOND SECURED BY BANK PASSBOOK

_____ 20__

AGREEMENT made this date between the Town of Monson and

_____ of _____

hereby binds and obligates himself/itself/his or its executors, administrators, devisees, heirs, successors and assigns to the Town of Monson, a Massachusetts municipal corporation, in the sum of

_____ Dollars, (all) or, _____

of said sum to be used to insure the performance by the obligor of all the covenants, conditions, agreements, terms and provisions contained in the application dated and in the covenant signed by

_____ and dated _____ 20__

under which approval of a definitive plan of a certain subdivision entitled

_____ and dated _____ 20__

has been or is hereinafter granted by the Monson Planning Board.

In the event the obligor should fail to perform his obligations on said project in accordance with the Rules and Regulations of the Monson Planning Board, the Town of Monson may use these funds, or an part thereof, to satisfy and complete the obligor's obligation on said project.

Upon completion of all the work required to be completed by the obligor aforesaid on or

before _____ 20__ the said Bank Book shall be returned to the obligor with all interest accrued thereon.

FORM G

The Town of Monson, acting by and through its Planning Board hereby agrees to accept the aforesaid Bank Book as security for the performance of the project as aforesaid.

Majority of the Planning Board of the Town of Monson

Owner, and/or Contractor, and/or Developer

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____ 20__

Then personally appeared _____

One of the above named members of the Planning Board of the Town of Monson, Massachusetts and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

Notary Public

My Commission expires

The _____ Bank of _____

hereby recognizes and accepts the conditions of this notice of agreement.

Authorized Signature

To be executed in five (5) copies, all of which are to be considered originals. (Note: two (2) copies of Form G are to be forwarded to the above Bank, one (1) signed copy returned to the Planning Board, and one (1) signed copy given to the Town Treasurer.

FORM H

Plan Distribution Check List

FILING OF APPROVED PLANS CHECK LIST

Agency	# Required	Date	Received By
<u>Complete set of plans required</u>			
Registry of Deeds	1		
Town Clerk	1		
Board of Selectmen	1		
Highway Department	1		
Water & Sewer Department	1		
Building Commissioner/ Zoning Enforcement Officer	1		
Planning Board	2		
<u>Street & Lot Layout only required</u>			
Board of Assessors	1		
Police Department	1		
Board of Health	1		
Fire Department	1		

This check sheet to be returned to the Planning Board upon completion. This sheet to be completed within thirty (30) days (calendar) upon receipt of approval from the Planning Board of Definitive Plan. No work as defined in the Definitive Plan shall be commenced before this list is completed and returned to the Planning Board.

FORM I

SUBDIVISION INSPECTION CHECKLIST

Name of Subdivision _____

Name of Application _____

SUBJECT OF INSPECTION INITIALS OF AGENT DATE OF INSPECTION

Clearing of Right of Way		
Subgrade Preparation		
Roadway Construction Material Types		
Below Grade Drainage		
Sanitary Sewer Installation		
Water Installation		
Fire Alarm Installation		
Gravel Base		
Curb Installation		
Binder Course		
Surface Drainage		
Berm Installation		
Sidewalk Construction		

FORM I

SUBDIVISION INSPECTION CHECKLIST

Name of Subdivision _____

Name of Applicant _____

SUBJECT OF INSPECTION	INITIALS OF AGENT	DATE OF INSPECTION
Bicycle Path Construction		
Street Trees and Planting		
Grass Strips		
Street Lights		
Street Signs and Monuments		
Final Clean Up		
Wearing Course		
Final Inspection at End of Two (2) Years		

File Reference _____

FORM J

CERTIFIED LIST OF ABUTTER

_____20____

To the Planning Board of the Town of Monson:

The undersigned, being an applicant for approval of a definitive plan of a proposed subdivision entitled

Submits the following plan to the land in the subdivision listing the names of the adjoining owners I their relative positions and indicating the address of each abutter on the plan or in a separate list, including owners of land separated from the subdivision only by a street.

Signature of Applicant

Address

Date

To the Planning Board of the Town of Monson

This is to certify that at the time of the last assessment for taxation made by the Town of Monson, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above were as above written, except as follows:

Assessor

FORM K

NOTICE OF PUBLIC HEARING

Town of Monson, Massachusetts

_____, having submitted a Definitive Plan of a
(owner)

subdivision of land _____
(location)

as shown on a plan by _____
(surveyor)

a public hearing will be held thereon at the Municipal Office Building, 110 Main Street,
Monson, on _____ at _____, in
(date) (time)

accordance with the provisions of M.G.L. Chapter 41, Section 81-T as amended.

Chairman, Monson Planning Board